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Monday Morning, May 26th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ALBERT E. UHL, EXECUTOR OF THE)
ESTATE OF LETHA R. HUBINGER,)
DECEASED.)
VS) # 16324
THE HOME INSURANCE CO. OF NEW YORK)

The Court being duly advised, now overrules motion of defendant to reconsider ruling on original demurrer and motion to make complaint more specific, to which ruling of the Court the defendant objects and excepts.

The defendant is now ruled to answer complaint herein on or before June 5th, 1941.

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE CO., ETC.,)
ET AL.)

Comes now the defendant, and files motion to require the plaintiff to separate third amended complaint into paragraphs, which motion is in the words and figures following, to-wit: (H.I.).

EMMA DAWSON)
VS) # 16067 Judgt. vs Pltf. for Costs.
ADA AIRHART) J. D. 18, Page 207.

This action now having been duly reached on the calander in its regular order, and being duly called for trial, the Court of it's own motion now dismisses this cause for want of prosecution at the cost of the plaintiff, and this cause is now dismissed, all 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, Emma Dawson, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

FRED LITTLE)
VS) # 16148 Judgt. vs Deft. for $10.00 and Costs.
NORMAN CANARY) J. D. 18, Page 208.

Come now the parties, and the Court having heretofore heard the evidence in this cause, and the Court now being duly advised, finds for the plaintiff and that the allegations of plaintiff's complaint are true and that the plaintiff is the owner of and is entitled to the immediate possession of the electric sanding machine No. F.87 Serial N. 942. The value of said machine is $300.00 and that plaintiff is entitled to $10.00 damages for its detention.

It is, therefore, considered and adjudged by the Court that the plaintiff recover of and from the defendant, Norman Canary, the property described in the complaint, to-wit: sanding machine No. F 87 Serial N 942; that said property is of the value of $300.00, and that the defendant, Norman Canary, unlawfully detains the same from the plaintiff.

It is further considered and adjudged by the Court that upon the failure of defendant to deliver up to the plaintiff said property, plaintiff recover of defendant the sum of three hundred dollars.

It is further considered and adjudged by the Court that the plaintiff recover of the defendant the sum of ten dollars as damages for the unlawful detention of said property, together with the costs and charges in this behalf, paid, laid out and expended at _____dollars and _____cents.

SOL H. ESAREY)
VS) # 16044
JOHN M. BARNHILL, ET AL.)

Come now the defendants , by counsel , and the Court being duly advised, now overrules separate motions of defendants, Karl R. Ruddell and John M. Cunningham, to quash, to which ruling of the Court the said defendants Ruddell and Cunningham, separately and severally object and except.

The Court being duly advised, now overrules defendant, Joseph T. Stokes' motion to require plaintiff to make his fourth amended complaint more specific, to which ruling of the Court the defendant, Joseph T. Stokes, objects and excepts.

The Court being duly advised, now overrules defendant, John M. Barnhill's, motion to strike plaintiff's fourth amended complaint from the files, to which ruling of the Court the defendant, John M. Barnhill, objects and excepts.

All defendants are ruled to answer fourth amended complaint and supplemental complaint herein on or before June 6th, 1941.

STATE OF INDIANA)
VS) # 16393
IDA M. McCURDY, ET AL.)

Comes now the plaintiff, and files affidavit for publication of notice to non-resident defendants, which affidavit is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said affidavit, now orders notice published as provided by law, making the same returnable June 26th, 1941.

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 27th, 1941.

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

STATE OF INDIANA EX REL)
BARBARA ELLEN DARNELL)
Plaintiff)
VS) # 16227. Judgt. vs Deft. for $200.00 and Costs.
CARL GITHENS) E N T R Y J. D. 18, Page 208.
Defendant)

Come now the parties by counsel and the State of Indiana, by Ralph Tacoma, Deputy Prosecutor of Marion County, Indiana, 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 relatrix, that the allegations of plaintiff's complaint are true; that the said relatrix on the 6th day of April, 1940, was delivered a bastard child; that said child is living and that the defendant is the father of said child.

It is therefore considered and adjudged that the defendant is the father of the child of which the relatrix has been delivered and which is now living. It is further considered and adjudged by the court that the said relatrix recover of the said defendant the sum of Two Hundred ($200.00) Dollars for the maintenance of said child, to be paid to said relatrix. It is further considered and adjudged by the court that the said relatrix recover of said defendant her costs and charges in this behalf paid, laid out and expended.

It is further considered and adjuged by the court that the said defendant replevy this judgment by good and sufficient freehold surety, or upon default thereof that he be imprisoned in the county jail of the said Hendricks County until the same is paid or replevied, or until he is released by due process of law.

Dated this 27th day of May, 1941.

FEDERAL FARM MORTGAGE CORPORATION)
VS)# 16389
EDGAR BAILEY, LORA E. BAILEY, HIS WIFE:)
STANDARD MARGARINE CO., INC.

Comes the plaintiff by counsel and files its petition for an order directing the Clerk of this court to issue a summons to the Sheriff of Marion County, Indiana, for defendant, Standard Margarine Co., Inc., a corporation, which petition is in the words and figures as follows, to-wit: (Here Insert):

And the Court, being duly advised, grants said petition, and the Clerk of this court is ordered and directed to issue summons to the Sheriff of Marion County, Indiana, for defendant, Standard Margarine Co., Inc., a corporation, whose principal office is at 1106 Roosevelt Avenue, Indianapolis, Indiana, returnable June 9th, 1941, the same being the 31st. judicial day of the May Term, 1941, of this Court.

MILDRED LOUISE HOPPER)
VS) # 16328 Judgt. vs Pltf. for Costs.
ALVA ADRIAN HOPPER) J. D. 18, Page 208.

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

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, Mildred Louise Hopper, is ordered to pay the costs of this action, taxed at _____dollars and_____ cents.

LELIA HOUGH)
VS) # 16322 DIVORCE DECREE Judgt. vs Deft. for $10.00 Per Week & Costs.
LUTHER HOUGH) J. D. 18, Page 208.

Comes now the plaintiff in person and by her 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 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. Said defendant failing to appear he is three times loudly called in open court but comes not and makes default.

Comes now George W. Hadley, Prosecuting Attorney for the 55th Judicial Circuit, State of Indiana, and appears for said defendant. Whereupon said cause is submitted to the court for hearing, trial and decree.

The court having heard the evidence and being fully advised therein, finds for the plaintiff and that she is entitled to a decree of divorce from the defendant on the grounds alleged in her complaint: That she is a suitable and proper person to have the care, custody and control of the children named in complaint and is entitled to have their custody until further order of this court: That she is entitled to an allowance of $10.00 per week, for the maintainance and support of said children: That the defendant is entitled to reasonable visiting privileges with said children at their home. That said defendant is entitled to have Gene Hough on Saturday evenings and keep said child until Sunday and return him to his home on Sunday afternoon or evening, twice each month. That if said defendant herein has a suitable place to take Joan Hough, he shall have that right once each month, but is to return said child to her home in the evening in ample time for bed.

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

That the plaintiff have the care, custody and control of the following named children, Gene Hough, age 14 and Joan Hough, age 6, until further order of this court and that the defendant be and he is hereby ordered to pay the Clerk of the Hendricks Circuit Court the sum of $10.00, per week, for the maintainance of said children and said Clerk to pay the same to the plaintiff herein. The first payment to be made the 31 day of May 1941, and each week thereafter.

Said defendant to have reasonable visiting privileges with said children at their home in Danville, and defendant to have his son, Gene, on Saturday evenings and continue until Sunday evening, twice each month: That said defendant is to have the

right to take Joan once each month, if he has a place suitable and satisfactory to take her. But in any event both children are to be returned home in ample time for bed. All at the cost of the defendant, which costs are paid.

HARRY S. HOWARD, ET AL.)
VS) # 16341
GEORGE A. REMSTER)

Comes now the defendant, and files answer to supplemental complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

Comes now the plaintiff, and files motion to strike out part of rhetorical paragraph four of defendant's answer being all except the first two sentences thereof, 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, to which ruling of the Court the defendant objects and excepts.

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 argument of counsel, and this cause is taken under advisement.

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

Wednesday Morning, May 28th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 8156
JACK ADAMS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Jack Adams, in his own proper person and also by his attorneys, Neal and Williams, and said defendant is duly arraigned in open court and pleads not guilty.

Court fixes bond in this cause and in cause number 8157 of this court at $300.00, cash bond.

STATE OF INDIANA)
VS) # 8157
JACK ADAMS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Jack Adams, in his own proper person and by his attorneys, Neal and Williams, and said defendant is duly arraigned in open court and pleads not guilty.

Court fixes cash bond at $300.00 in this cause, and also to cover in cause number 8156 of this court.

STATE OF INDIANA)
VS) # 8158
EMMA ADAMS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Emma Adams, in her own proper person and by her attorney, Neal and Williams, and said defendant is duly arraigned in open court and pleads not guilty.

Court fixes defendant's bond at $100.00, cash bond.

BERNICE E. SHIRLEY)
VS) # 16043
CHARLES F. TUCKER)
HELEN CLAIRE TUCKER)

Comes now the plaintiff, and files motion to strike out part of plaintiff's complaint, the allegations in reference to mortgage, which motion is in the words and figures following, to-wit: (H.I.).

And the Court being fully advised and informed in the premises finds that said motion should be sustained.

It is, therefore, ordered, decreed and adjudged that the following parts of plaintiff's complaint be and the same are hereby stricken out to-wit:

"Plaintiff further says that after said deed was executed and placed of record that said defendant executed a mortgage on said real estate to the Pension Fund of the Disciples of Christ in the sum of $15,000.00, and that said mortgage is now in full force and effect and constitutes a lien upon said real estate."

Also that the following parts of said complaint be stricken out beginning at line seven on page seven, to-wit:

"and by reason of said mortgage for $15,000.00 being placed upon said real estate that plaintiff have judgment for $20,000.00, damages,"

Said cause having been set for trial and being at issue and said defendant, Charles F. Tucker, having been defaulted, the same is now submitted to the Court for trial, finding, judgment and decree, and the Court having heard the evidence, said cause was continued for briefs and argument.

STATE OF INDIANA)
VS) # 8153 Judgt. vs Deft. for $25.00 Fine & Costs.
WARREN LEACH) J. D. 18, Page 209.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Warren Leach, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty of reckless driving.

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

The Court finds that said defendant is twenty years of age, and the Clerk is directed to send certified copy of this judgment to the Indiana Motor Vehicle Department as required by law.

WILLIAM H. WISEHEART)
OSCAR H. WISEHEART)
VS) # 14939
SARAH L. HUNTLEY)

Comes the Commissioner appointed to make sale of the real estate ordered sold in this proceedings and files a financial report wherein he shows that he has made sale of two separate parcels of the real estate ordered sold in said cause, which said report is in the words and figures as follows, to-wit: (Here Insert).

And the Court, having examined said report and being duly advised concerning the same does now approve said report and orders the Commissioner to make distribution of the proceeds from the sale of two parcels of the real estate sold among the parties to the action, as their several interests appear; that he disburse directly to William H. Wiseheart and Oscar H. Wiseheart and share thereof due each and that he pay to the Clerk of this court the share thereof due defendant, Sarah L. Huntley, and that said share shall not be paid out to any one except on order of the court, all of which is so ordered by the Court this 28th. day of May, A.D. 1941. And further proceedings herein are continued.

UNITED STATES RUBBER COMPANY)
VS) # 16336 Judgt. vs Deft. for $159.31 and Costs.
OSCAR ENGLISH) DECREE J. D. 18, Page 209.

Comes now the plaintiff by counsel John A. Kendall, and comes now the defendant in person and by his attorney Otis E. Gulley, 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 process for more than ten days before the day fixed by the plaintiff, by endorsement on his complaint,

for the defendant to appear and answer said complaint. Said defendant files his answer which answer is of the following words and figures, to-wit: (H.I.). Whereupon said cause is submitted to the court for hearing, trial and decree, a jury being waived.

And the court having heard the evidence and being duly advised in the premises finds, for the plaintiff, and that the allegations of said plaintiff's complaint are true and that the defendant herein is indebted to said plaintiff in the sum of $159.31. And that said plaintiff is entitled to judgment against said defendant for the $159.31.

It is, therefore, considered and adjudged by the court that the plaintiff herein have and recover of the defendant herein the sum of $159.31, together with their costs and charges in their behalf laid out and expended.

GEORGE C. HARVEY)
VS) # 16371 INTERLOCUTORY JUDGMENT
HELEN H. CUSACK)
ROWENA C. HARVEY)
JUSTIN M. HARVEY)

Comes now the parties by their respective counsel of record and this cause being at issue the same is now submitted to the court for trial, and the court having heard the evidence, and being sufficiently advised in the premises, finds that the parties hereto are the owners in fee and tenants in common of the real estate described in plaintiff's verified petition for partition, and have interests therein as follows:

1. That George C. Harvey, plaintiff herein is the owner of an undivided one-fourth (¼) of said real estate.
2. That Helen H. Cusack, a defendant herein is the owner of an undivided one-fourth (¼) of said real estate.
3. That Rowena C. Harvey, a defendant herein is the owner of an undivided one-fourth (¼) of said real estate.
4. That Justin M. Harvey, a defendant herein is the owner of an undivided one-fourth (¼) of said real estate.
5. That the real estate described in plaintiff's complaint of which partition is demanded, can not be divided without damage to the owners thereof; and that a commissioner should be appointed to make sale and partition of said real estate, and two disinterested appraisers should be appointed by the court to make appraisal of said real estate as to the fair market value thereof.
6. That the plaintiff is entitled to have said real estate partitioned and his interest therein set apart to him in severalty in value in the proportion above stated; and that the interest therein of each defendant should be set apart in severalty in value in the proportion above stated.

It is, therefore, considered, adjudged and decreed by the court that partition immediately be made of said real estate, to-wit:

Lot numbered four (4) in Milligan's Park Lane Addition to the City of Indianapolis, Marion County, Indiana,

among the parties according to their respective interests, as above found, by setting off to each of the parties hereto a one-fourth (¼) interest in and to the above described real estate.

It is, further, considered, adjudged, and decreed that George W. Hadley, of Hendricks County, within the State of Indiana, be and the said George W. Hadley, is now in open court appointed commissioner to make sale of the land, property, described in plaintiff's verified petition for partition all in the way and manner now provided by law, and that Earl B. Teckemeyer and Owen Stone, two disinterested persons of Marion County, within the State of Indiana, be and the said Earl B. Teckemeyer and Owen Stone are now in open court appointed appraisers to appraise the real estate described in plaintiff's verified petition for partition as to the fair market value thereof and said appraisers are ordered to make due return of their appraisal to the court under oath.

It is further, considered, adjudged, and decreed that said George W. Hadley, as such commissioner, shall before entering upon his duty take an oath faithfully to perform the duties of his trust and shall before entering upon his duty file a bond to be approved by the court payable to the State of Indiana, in the penal sum of Three Thousand, ($3000.00) dollars, conditioned for the faithful discharge of the duties of his trust.

And now the said George W. Hadley, as commissioner to make sale of said land, property, appears in open court and before the court, takes an oath faithfully to perform the duties of his trust and also files with the court in open court his bond in the penal sum of Three Thousand ($3000.00) dollars, with Great American Indemnity Company as surety thereon, which bond is now approved by the court, and said cause is now continued for further action by the court.

JENNIE SMITH)
VS) # 16261 (This entry is of May 29th, 1941.)
BELT RAILROAD CO. OF)
INDIANAPOLIS, ETC., ET AL.)

Come now the defendants, Belt Railroad and Stock Yards and Indiana Union Railway Company, and file separate and several answers to plaintiff's third amended complaint, which separate and several answers are in the words and figures following, to-wit: (H.I.).

HERMAN JONES)
VS) # 16293 (This entry is of May 29th, 1941.)
INDIANAPOLIS BREWING CO., INC.)

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

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 29th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ROY SHORT)
VS) # 16100
COMMERCIAL CREDIT CO., INC.)
PACKARD INDIANAPOLIS, INC.)

Come now the defendants, and file motion to strike out parts of plaintiff's third amended complaint, which motion is in the words and figures following, to-wit: (H.I.).

HARRY L. LOWLER)
VS) # 16229
LINDEN G. SHELLEY, ET AL .)

Come now the parties, and file agreement that the above cause, which was set for trial June 3rd, 1941, be continued until the fall term of this court, which agreement is in the words and figures following, to-wit: (H.I.), and said agreement is now approved.

STATE OF INDIANA)
VS) #8159
PAT ROACH)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Pat Roach, in his own proper person and also by his attorney, W. B. Wadell, and said defendant is duly arraigned in open court and pleads not guilty of uttering check without sufficient funds in bank.

The Court fixes the defendant's bond at $200.00, cash bond.

HARRY S. HOWARD and wife,)
IDA HOWARD)
VS)# 16341 DECREE OF COURT Judgt. vs Deft. for $150.00 & Costs.
GEORGE A. REMSTER) Entry J. D. 18, Page 209.

Comes now the plaintiffs in person and by their attorneys, A. E. Williams and M. J. Murphy, and also, the defendant in person and by his attorneys, Fred V. Thomas and _____ Sandusky.

This cause being at issue now comes on for trial and is submitted to the court without the intervention of a jury; the court having heard the evidence and being sufficiently advised in the premises finds for the plaintiffs, and that the allegations of their complaint are true.

The court further finds that the contract between plaintiffs and defendant, as set out in plaintiff's complaint, was breached by the defendant and should be cancelled.

The court further finds that the plaintiffs are the owners in fee simple and entitled to the possession of the real estate described in their complaint; that the defendant unlawfully holds possession thereof; that the plaintiffs have been damaged in the sum of $150.00.

It is therefore considered and adjudged by the court that the plaintiffs are the owners in fee simple of the real estate described in their complaint, to-wit:

The following described real estate in Putnam County, Indiana, to-wit:

Part of the Southwest and Northwest fractional quarters of Section 7, in Township 15 North of Range 4 West, described as follows, to-wit: Beginning at a point on the west line of said section which point is 67 rods north of the southwest corner of said southwest fractional quarter section; thence east 54½ rods; thence north parallel to the west line of said Section 7, 135½ rods; thence west 54½ rods to the west line of said section; thence south with said west line of said section 135½ rods, to the place of beginning, containing 46 acres, more or less.

Also, Part of the Northwest fractional quarter of Section 7 in Township 15 North, Range 4 West: Beginning at the northwest corner of said quarter section; thence south on the section line 117½ rods; thence east parallel to the south line of said quarter section 54½ rods; thence north parallel to the west line of said quarter section 117½ rods; thence west on said north line 54½ rods to the place of beginning, containing 40 acres, more or less, and that plaintiffs recover of the defendant the possession thereof. It is further considered and adjudged by the court that the plaintiff recover of the defendant the sum of $150.00 in damages, together with their costs and charges in this cause laid out and expended.

It is further considered and adjudged by the court that this decree is authority to the Sheriff of Putnam County to vacate the defendant from said real estate, and to put the plaintiffs in possession thereof.

Dated this 29th day of May, 1941.

ERNEST LONGMIRE)
MARY LONGMIRE)
Plaintiffs)
VS) # 16320 Judgt. vs Pltfs. for Costs.
JEREMIAH HADLEY, et al.) ENTRY J. D. 18, Page 210.
Defendants)

It being suggested to the court that the unborn children, the unborn descendants of any after-born deceased children, and the minor children, if any, of defendant Leona J. Jordan may have some interest herein adverse to that of plaintiffs herein, the court now appoints John A. Kendall as guardian ad litem herein for all such children and minors; and said John A. Kendall now accepts such appointment as guardian ad litem, upon his duly administered oath in open court swears to perform his duties as such guardian ad litem according to law, and as such guardian files herein his answer denying the claims of plaintiffs herein as against such children and minors and demanding strick proof of plaintiffs, which answer is as follows:

(H. I.).

And having heretofore appearing by Otis E. Gulley, their attorney, Okel Bly Voorhees and Alta Hawkins now file their answer in disclaimer of the complaint herein, which answer is as follows:

(H. I.).

And plaintiffs now file on their behalf an affidavit that they do not know and are not able to determine whether any defendant is in the military service of the United States as defined in the Soldiers' and Sailors' Civil Relief Act of

1940, which affidavit is as follows:

(H. I.).

And come now plaintiffs Ernest Longmire and Mary Longmire by Willson, Jones and Willson their attorneys; John A. Kendall for himself as guardian ad litem of the unborn children, the unborn descendants of any after-born deceased children, and the minor children, if any, of defendant Leona J. Jordan; and Okel Bly Voorhees and Alta Hawkins by Otis E. Gulley their attorney.

And it appears to the satisfaction of the court by the notice and proof of publication thereof filed herein and reading as follows:

(H. I.),

that each and every defendant herein named and designated has been duly served with summons by publication in The Friday Caller, a newspaper of general circulation in Hendricks County, Indiana, printed and published in the English language once each week for three successive weeks, the first such publication having been on March 20, 1941, and the last such publication on April 3, 1941, and more than thirty days prior to May 15, 1941, being the date endorsed on plaintiffs' complaint for the return of the summons thereon; that defendants Carl D. Hoadley, Walter J. Mercer, Emmett Bly, Horace L. Daum, and Alma R. Daum have each filed herein their appearance, waiver of service of process, and disclaimer of any right, title, interest, or claim in or to the real estate described in plaintiffs' complaint and hereinafter described, which appearances, waivers, and disclaimers are as follows:

(H. I.);

and that all other defendants herein, except those who have filed answers or on whose behalf answers have been filed as above recited, have failed to appear herein either in person or by attorney and have failed to answer or demur to plaintiffs' complaint herein. And each defendant herein named and designated who has not appeared and answered or disclaimed as above recited is now in open court three times loudly called but comes not and wholly makes default.

And being at issue on the complaint and said answers and defaults, this cause is now submitted to the court for trial, finding, judgment, and decree without the intervention of a jury. And having heard the evidence and being fully advised, THE COURT NOW FINDS THE FOLLOWS:

1. All of the allegations in plaintiffs' complaint are true, and the prayer thereof should be gratned.

2. Plaintiffs are the owners in fee simple absolute of all the real estate described in their complaint and hereinafter described, and are entitled to and have full and unconditional possession thereof. No defendant named or designated in plaintiffs' complaint and no other person except plaintiffs herein has any right, title, claim, or interest in or to any of said real estate.

3. Neither Okel Bly Voorhees nor Alta Hawkins, who have appeared and answered herein by Otis E. Gulley as attorney for them only and for no other defendant, and who are sisters of Dot Bly, deceased, has or claims any right, title, or interest whatsoever in or to any of said real estate. No unborn child, no unborn descendant of any hereafter born deceased child, and no minor child if any, of defendant Leona J. Jordan has any vested, contingent, or other present or future right, title, interest, or claim in or to any of said real estate.

4. Plaintiffs are entitled to have all doubts concerning the validity of their absolute fee simple title to said real estate, and all clouds upon such title, removed and extinquished; and to have such title wholly and forever quieted

in them as against every defendant named or designated in their complaint herein, as against every person having or asserting any right, title, interest, or claim in or to said real estate by, under, or through any such defendant, and as against all the world.

5. The real estate bounded as described in paragraph 1 of plaintiffs' complaint herein is identical with the real estate bounded as described in paragraph 2 of said complaint, and plaintiffs' are entitled to have such boundaries determined, adjudged, and decreed to be identical.

6. No defendant herein as shown to be or not to be, and neither plaintiffs nor any defendants appearing herein are able to determine or show whether any defendant is, in the military service of the United States as defined in the Soldiers' and Sailors' Civil Relief Act of 1940. No defendant who may be in such service has any right, title, interest, or claim in or to any of said real estate, and no such defendant will be prejudiced or suffer any loss or damage by the judgment and decree herein rendered quieting title to said real estate in plaintiffs. And plaintiffs are entitled to an order for the immediate entry of such judgment and decree as against each such defendant herein named or designated who may be in such Military Service.

THE COURT THEREFORE CONSIDERS, ORDERS, ADJUDGES, AND DECREES THAT:

1. Plaintiffs Ernest Longmire and Mary Longmire as husband and wife are the owners in fee simple absolute, and are entitled to full and unconditional possession, of the following described real estate in Hendricks County, Indiana:

Beginning at a point in the North line of the Terre Haute & Indianaplis 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 Gaute 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 40 3/4 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 about 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 cherry 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, of Range 1 East, thence 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 40 3/4 degrees West 1 chain and 95 links; thence South 2½ degrees East 6 chains and 35 links; thence South 73 3/4 degrees West 22 links; thence North 3 degrees West 5 chains and 94 links; thence North 21 degrees West 83 links; thence North 35 3/4 degrees West 1 chain and 21 links; thence North 47 3/4 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.

2. The absolute fee simple title to all of said real estate shall be and it hereby is wholly and forever quieted and set at reat in plaintiffs

Ernest Longmire and Mary Longmire, husband and wife, as against every defendant named or designated in plaintiffs' complaint herein, as against the husband or wife, widower or widow, and heirs at law or devisees of every such defendant, as against any and every person claiming under, by, or through any such defendant or the husband or wife, widower or widow, or heirs at law or devisees of any such defendant, and as against all the world.

3. The real estate bounded as described hereinabove is identical with the real estate bounded as follows:

> A part of the North East Quarter and a part of the South East Quarter of Section 27, Township 15 North, Range 1 East, more particularly described as follows:
>
> Beginning at a point 1763.50 feet South of the North line and 839.52 feet West of the East line of the Northeast Quarter of Section 27, Township 15 North, Range 1 East, running thence West 1225.80 feet to a point in the center line of the White Lick Road as now located; thence South 25 degrees 27 minutes East upon the center line of said Road 855.50 feet to a point; thence South 46 degrees 50 minutes East upon the center line of said Road 374 feet to a point; thence South 21 degrees East upon the center line of said Road 114.30 feet to a point; thence South 89 degrees 30 minutes East 104.50 feet to a point; thence North 15 degrees 6 minutes East 254 feet to a point; thence North 36 degrees 50 minutes East 32 feet to a point; thence South 88 degrees 8 minutes East 336 feet to a point; thence North 0 degrees 42 minutes East 886 feet to the place of beginning, containing 24.19 acres, more or less.

4. The Clerk shall forthwith enter this finding, judgment, and decree in the appropriate records kept for such purposes according to law, all at cost of plaintiffs.

DONE IN OPEN COURT THIS 29" DAY OF MAY, 1941.

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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(NO COURT)

Saturday Morning, May 31st, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

HARRY SCHWAB)
VS) # 16253
GEORGE LAMB)

Comes now the defendant, and files motion to dismiss this cause for the reason that plaintiff fails and neglects to file answers to interrogatories, which motion is in the words and figures following, to-wit: (H.I.).

JULIA M. BROWN)
VS) # 16205
J. RAY MONAGHAN, ET AL.)

Comes now the defendant, Railroadmen's Federal Savings and Loan Association, and files answer of disclaimer, which answer is in the words and figures following, to-wit: (H.I.).

Come now the parties, and hearing is had on appointment of receiver, and the Court takes matter under advisement.

PAUL H. SULLIVAN, ET AL.)
VS) # 16395
MARIAN HARDY, ET AL.)

Comes now the plaintiff, and files affidavit for publication of notice to non-resident defendants, which affidavit is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said affidavit and being sufficiently advised in its premises, now orders notice to be published as required by law, said notice to be returnable the first day of the September Term, 1941, of this court, the same being September 1st, 1941.

PATTON PARK, INCORP.)
VS) # 16388
MAX POLLAK, ET AL.)

Comes now the plaintiff and moves the Court for a rule requiring the defendant to answer complaint herein on or before June 12th, 1941.

The Court being duly advised, now sustains said motion, and said defendant is ruled to answer on or before June 12th, 1941.

JUANITA SEARS)
VS) # 16378
HOBART SEARS)

Comes now the plaintiff, and files motion that defendant's request for change from Judge be denied, which motion is in the words and figures following, 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, June 2nd, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

CITY OF CLINTON)
VS) # 16233
GUY G. CUMBERWORTH, ET AL., ETC.)

Judgt. vs Defts., Guy Cumberworth and Cumberworth-Harris & Co. for $26,181.23 and Costs.
J. D. 18, Page 210.

Come now the parties, and the Court renders judgment on the verdict of the jury.

It is, therefore considered and adjudged by the Court that the plaintiff have and recover from the defendants, Guy G. Cumberworth and Guy G. Cumberworth and Charles E. Harris, Co-partners doing business under the firm name and style of Cumberworth-Harris and Co., the said sum of twenty-six thousand, one hundred eighty-one and 23/100 ($26,161.23), together with its costs in this behalf paid, laid out and expended.

FREDONIA ELLIOTT BY)
SHED ELLIOTT NEXT FRIEND)
VS) # 16398
STARLING W. JAMES)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

MYRTLE EGGERS)
VS) # 16383
OTTIE A. EGGERS)

Judgt. vs Deft. for $5.00 per week that pltf. has children, $35.00 atty. fee.
J. D. 18, Page 210.

Comes now the plaintiff by Otis E. Gulley, her attorney and comes also the defendant, by Arnie Watkins, his attorney and the matter of the petition for temporary alimony and restraining order having been set for hearing, the same is now submitted to the court for further consideration.

And the court having heard the evidence and being fully advised and informed in the premises, finds that the order heretofore made placing the custody of their two children, Norma Eggers and Kathalen Eggers, with the plaintiff herein during the pendency of this action, and the restraining order against said defendant, should be modified, and that defendant should pay to plaintiff a reasonable amount for support of said children and her attorney's fee for prosecuting her said cause.

It is therefore hereby ordered that said plaintiff be granted the care and custody of said children, Norma Eggers and Kathelen Eggers from this date, and that the defendant shall have the right to call for said children on the 14th day of June 1941, and have said children with him until the 21 day of June, 1941 when he shall return said children to said plaintiff, and there after said defendant shall have the right to call for said children every third week and keep said children with him for a period of one week and at the end of each third week, he shall return said children to the plaintiff.

It is further ordered by the court that the restraining order heretofore issued against said defendant, restraining him from interfering with plaintiff in the

custody of said children, be modified to the extent above set fourth, but he continued in full force and effect as to all other times, and said defendant shall be required to call for said children, where plaintiff is residing, and to return said children to her at the end of each week, that they are entitled to be with him.

It is further ordered by the court that the defendant pay to the plaintiff the sum of five dollars per week for two weeks out of every three weeks for the care and support of said children, and that said amounts be paid direct to said plaintiff, the first payment to be made not later than June 14, 1941, and eachweek thereafter as said amounts become due.

It is further ordered by the court that said plaintiff shall have the right to enter the home where she and defendant have lived and procure her personal belongings and wearing apparel, and the clothing belonging to said children.

It is also ordered, adjudged and decreed by the court that on or before the 30th day of August, 1941, said defendant pay to Otis E. Gulley, attorney for plaintiff, herein the sum of $35.00 attorney fees for services rendered, and to be rendered, said plaintiff, and as to all matters contained in restraining order now in force, except as herein modified, the same shall be continued in full force and effect until the further order of this 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, June 3rd, 1941.

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

STATE OF INDIANA, EX REL)
TONY FLACK, ADMINISTRATOR)
DE BONIS NON, ETC.)
VS) # 16072
SEABOARD SURETY COMPANY)

Come now the parties, and the Court re-opens cause for the taking of additional evidence.

Evidence is heard and completed, and the parties are to file briefs, and the Court takes cause 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, June 4th, 1941.

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

BLANCH MAHAN)
VS) # 16129
OLIVER P. JONES, ET AL.)

The Court being duly advised, now grants petition to permit further evidence in this cause.

Come now the parties, and further evidence is heard and evidence is completed, and the Court takes matter under advisement.

ROBERT T. TOMPKINS)
VS) # 16385
HAROLD KATTAU)

Comes now the defendant, and files motion to strike out parts of paragraph one and paragraph two of plaintiff's first amended complaint, which motion is in the words and figures following, to-wit: (M.I.).

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 5th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

JOHN B. JUSTICE)
VS) # 16325
FLORA C. TATMAN,)
FLORENCE MUNDAY,)
ANNA BELL CORNCAMP,)
LENORA O'KEEF EDMONDS,)
JOHN A. EDMONDS,)
EDNA EDMONDS DALE,)
THE FEDERAL LAND BANK)
OF LOUISVILLE.)
ANABEL KORTKAMP,)
THE UNKNOWN WIDOWER, HEIRS AT LAW,)
DEVISEES, LEGATEES AND ASSIGNEES)
OF EDNA EDMONDS DALE, DECEASED.)

Comes now the plaintiff and shows to the court the notice and proof of publication, which said notice and proof of publication are in the words and figures as follows, to-wit: (H.I.), from which it appears, and the court finds, that the defendants, Flora C. Tatman, Forence Munday, Anna Bell Corncamp, Lenora O'Keef Edmonds, John A. Edmonds, Edna Edmonds Dale, and The Federal Land Bank of Louisville, 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 city of Danville, County of Hendricks, State of Indiana, the last of which said publications were made more than 30 days before the 12th day of May, 1941, being the 7th day of the May Term, 1941, of the Hendricks Circuit Court, being the return day of said notice as per order of said court, and also shows to the court notice and proof of publication, which said notice and proof of publication read as follows, towit: (H.I.), from which appears and the court finds that the defendants, Anabel Kortkamp, The unknown Widower, heirs at law, devisees, legatees and assignees of Edna Edmonds Dale, deceased, have been duly notified of the pendency of this action by three successive publications in the said The Hendricks County Republican, the last of which said publications were made more than 30 days before the 2nd day of June, 1941, being the 25th day of May Term, 1941, of this court, and the day fixed by order of this court for the return day of said notice.

And now each of said defendants being three times loudly called in open court, come not, but each herein wholly make default.

And said cause being at issue on the plaintiff's petition and the defaults of each and all of said defendants, the same is now submitted to the court for hearing, finding and decree, without the intervention of a jury. The court having heard the evidence and being sufficiently advised in the premises finds that as alleged in the complaint, said plaintiff and the defendants, Flora C. Tatman, Florence Munday, Lenora O'Keef Edmonds, Edna Edmonds Dale, Anabel Kortkamp, The unknown Widower, heirs at law, devisees, legatees and assignees of Edna Edmonds Dale, deceased, are the owners as tenants in common of the following described real estate in said Hendricks County, to-wit:

The West half of the South East quarter of Section 26, Township 15 North, Range 2 West, containing 80 acres, more or less.

That said parties so own said real estate in the following proportions; said plaintiff, John B. Justice, is the owner of an undivided two-thirds (2/3) thereof; that the defendant, Flora C. Tatman, is the owner of an undivided one-ninth (1/9) thereof; that the defendants, Florence Munday and Anabel Kortkamp (being one and the same person as the defendant Anna Bell Corncamp), are each the owner of an undivided three-fifty-fourths (3/54) thereof; that the defendants, Lenora O'Keef Edmonds, John A. Edmonds and Edna Edmonds Dale (If the said Edna Edmonds Dale be living, if dead, then the defendant, The unknown Widower, heirs at law, devisees, legatees and assignees of Edna Edmonds Dale, deceased), are each the owner of an undivded one-twenty-seventh (1/27) thereof:

The court further finds that the defendant, The Federal Land Bank of Louisville, has and holds a mortgage on said real estate which mortgage is duly recorded in Mortgage Record 94 at pages 387 to 391 of the Record in the Recorder's Office of Hendricks County, Indiana, and is a valid and subsisting lien upon said real estate, and that there is now due said defendant on said mortgage the sum of $_____, and that said real estate should be sold subject to said mortgage.

And the court further finds that said real estate can not 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 rights and in erests of the parties in and to said real estate as the same are herein found and determined.

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 susceiptible 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: Subject to the lien of the mortgage of the defendant, The Federal Land Bank of Louisville, and for cash. Two weeks' notice, from the time of the first publication of notice and the posting of notices, shall be given of the time, place and terms of such sale by two weeks publication thereof in some weekly newspaper of general circulation, printed and published in said Hendricks County, Indiana, and by posting written or printed notices thereof in five public places in said county, three of which shall be posted in the township in which said real estate is situated. And upon such sale being made and confirmed by the court all claim or title in and to said real estate held by any of the said owners thereof shall be as effectually farred as if said owners had themselves executed a conveyance thereof to the purchaser.

And the court now appoints Roscoe L. Edwards a commissioner to make sale of said real estate in accordance with the foregoing order, and requires him to execute bond in the penalty of $4000.00 conditioned for the faithful discharge of his duties and with surety thereon to the approval of the court. And now comes said Roscoe L. Edwards and accepts such trust and tenders his bond as commissioner in the penalty and conditioned as aforesaid with John W. Edwards and Marie W. Edwards as sureties thereonf, 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 to this court.

SOL H. ESAREY)
VS) # 16044
JOHN M. BARNHILL, ET AL.)

Come now Taylor and Kurrie, attorneys, and enter special appearance and file same, which is in the words and figures following, to-wit: (H.I.).

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250
PERRY STADIUM, INCORPORATED,)
ET AL.)

Come now the parties, and the defendants move the Court for an order to publish conditional examination of plaintiff. The Court being duly advised, now sustains said motion and conditional examination is ordered published.

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: Jessie Meeks, Albe Marley, Kenneth Gray, Carl McCloud, Neal Cooprider, Clarence Crews, Joseph Miller, Ola Hubbard, Cleo Lambert, Louise Durham, Tressman Parker and William Littell, twelve good and lawful men and women, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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 duty during such separation until 9:00 o'clock A. M., June 6th, 1941.

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 6th, 1941.

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

LAWRENCE CORBIN)
VS) # 15816 Judgt. vs Pltf. for Costs.
MARGARET CORBIN) J. D. 18, Page 211.

Comes now the plaintiff, 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.).

The Court having seen and examined said motion, now sustains the same, 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, Lawrence Corbin, is ordered to pay the costs of this action, taxed at _____dollars and _____ cents.

WILLIAM KINSEY)
VS) # 15208 Judgt. vs Pltf. for Costs.
JANIS KINSEY) J. D. 18, Page 211.

Comes now the plaintiff, 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.).

The Court having seen and examined said motion and being sufficiently advised in its premises, 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, William Kinsey, is ordered to pay the costs of this action, taxed at _____dollars and _____ cents.

ARTHUR L. MYLAND)
VS) # 16108
MOUNT E. FRANTZ)

Comes now the plaintiff, and files answers to interrogatories propounded by defendant, one to seven, which answers are in the words and figures following, to-wit: (H.I.).

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250
PERRY STADIUM, INCORPORATED, ET AL.)

Come now the parties, in person and by counsel, and the jury is again brought into court, and evidence is continued and plaintiff rests.

At the close of the plaintiff's evidence, the defendant, Perry Stadium, files motion, reserving the right to introduce evidence in event this motion is overruled, to instruct the jury to return a verdict for said defendant, which motion is in the words and figures following, to-wit: (H.I.).

The defendant, Indianapolis Base Ball Club, In-

corporated files motion to instruct the jury to find for the defendant, at same time, and also reserving the right to introduce evidence if motion is overruled, which motion is in the words and figures following, to-wit: (H.I.).

The jury is now allowed to separate under proper instructions as to their duties during separation until 9:00 o'clock A. M., June 7th, 1941.

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 7th, 1941.

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

RAYMOND RUSE)
ARTHUR McGLOTHLIN)
ARTHUR McGLOTHLIN, GUARDIAN)
FOR KENNETH McGLOTHLIN)
VS) # 16075
GEORGE E. RUSE)
ELVA RUSE)
HENRY BRUNES)

Comes now the plaintiff, and files motion to strike out petition of Constant V. Abeele to intervene, which motion is in the words and figures following, to-wit: (H.I.), and oral argument is had on said motion.

EAGLE MACHINE CO., INC.)
VS) # 16315
JOSEPH E. LYNCH)

Comes now the plaintiff, and the defendant is ruled to answer complaint herein on or before June 17th, 1941.

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250
PERRY STADIUM, INCORPORATED, ET AL.)

Come now the parties, in person and by counsel, and the Court now overrules motion of defendant, Perry Stadium Incorporated, to instruct the jury to return a verdict for said defendant, to which ruling of the Court the defendant, Perry Stadium, duly objects and excepts.

The Court now overrules motion of the defendant, Indianapolis Base Ball Club, Incorporated, to instruct the jury to return a verdict for said defendant, to which ruling of the Court said defendant duly objects and excepts.

The jury is again brought into Court and evidence is continued but not completed, and the jury is allowed to separate until 9:00 o'clock A.M., June 9th, 1941.

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 9th, 1941.

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

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250
PERRY STADIUM, INCORPORATED, ET AL.)

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

At the close of the evidence, the defendant, Indianapolis Baseball Club, Incorporated, files motion that the Court instruct the jury to return a verdict for said defendant, which motion is in the words and figures following, to-wit: (H.I.). The Court being duly advised, now overrules said motion, to which ruling of the Court the defendant, Indianapolis Base Ball Club, Incorporated, objects and excepts.

At the close of the evidence, the defendant, Perry Stadium, Incorporated, files motion that the Court instruct the jury to return a verdict for said defendant, which motion is in the words and figures following, to-wit: (H.I.). The Court being duly advised, now overrules said motion, to which ruling of the Court the defendant, Perry Stadium, Incorporated, objects and excepts.

Comes now the plaintiff at the close of all the evidence, and tenders to the Court instructions numbered one to thirteen, both inclusive, with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury.

Come now the defendants, Perry Stadium, Incorporated and Indianapolis Base Ball Club, Incorporated, at the close of all the evidence and separately and severally tender to the Court instructions numbered one to nine, both inclusive, with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury. And now the Court indicates by written memorandum all instructions that will be given and all instructions that will be refused by the Court.

The Court indicates that it will give instructions numbered one and ten tendered by the plaintiff and will refuse to give instructions numbered 2, 3, 4, 5, 6, 7, 8, 9, 11, 12 and 13, tendered by the plaintiff.

The Court indicates that it will give instructions numbered three, four as amended, five as amended, eight and nine, tendered by the defendants, Perry Stadium, Incorporated and Indianapolis Base Ball Club, Incorporated, and will refuse to give instructions numbered one, two, six and seven, tendered by the defendant.

The Court now tenders to the plaintiff and to the defendant the instructions to be given by the Court of its own motion, said instructions being numbered one to eighteen, both inclusive.

Comes now the plaintiff, at the close of the evidence and before argument and after all instructions had been submitted and the Court indicated which instructions it would give and which instructions it would refuse to give; and now said plaintiff having had reasonable opportunity to examine said instructions, does now orally state his specific objects out of the presence of the jury, to each of the following instructions: plaintiff now objects and excepts to instructions 3, 4, 5 and 9 tendered

and requested by the defendants, Perry Stadium Inc. Indianapolis and Indianapolis Base Ball Club, Incorporated, herein. All of said specific objections and exceptions of said plaintiff made orally are taken by the reporter and may be made a part of the record by general or special bill of exceptions.

Comes now the defendant at the close of the evidence and before argument and after all instructims had been submitted and the Court indicated which instructions it would give and which instructions it would refuse to give; and now said defendant having had reasonable opportunity to examine said instructions does now orally state his specific objections, out of the presence of the jury, to each of the following instructions. The defendant now objects and excepts to instructions numbered ten tendered and requested by the plaintiff herein. Defendant also now objects and excepts to the Court's refusal to give instructions numbered 1, 2, 6 and 7, tendered by the defendant. All of said specific objections and exceptions of said defendant are made orally, taken down by the reporter and may be made a part of the record by general or special bill of exceptions.

And now this cause is presented to the jury in oral argument and the Court instructs the jury by giving to the jury of its own motion instructions numbered one to eighteen, both inclusive. And the Court gives to the jury instructions numbered one and ten, tendered by the plaintiff and the Court refuses to give instructions numbered 2, 3, 4, 5, 6, 7, 8, 9, 11, 12 and 13, tendered by the plaintiff. Now the Court gives to the jury instructions numbered 3, 4 as amended, 5 as amended, 8 and 9 tendered by the defendant and the Court refuses to give instructions numbered 1, 2, 6 and 7 tendered by the defendant.

And now all instructions, including those tendered, given and refused, together with the Court's memorandum thereon, and the written objections and exceptions of the plaintiff and of the defendant are ordered filed, and filed and ordered made and made a part of the record in this cause, without a bill of exceptions, which instructions are in the words and figures following, to-wit: (H.I.).

The jury now retires to deliberate upon it's verdict.

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 10th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250
PERRY STADIUM, INCORPORATED, ET AL.)

Come now the parties, and the jury returns into open Court its verdict in the following words and figures, to-wit:

STATE OF INDIANA, IN THE HENDRICKS CIRCUIT COURT,
HENDRICKS COUNTY, SS: MAY TERM, 1941.

MARTHA MACDOUGALL EMHARDT)
vs.) No. 16250.
PERRY STADIUM, INCORPORATED,) VERDICT OF THE JURY.
INDIANAPOLIS BASEBALL CLUB)
INCORPORATED)

We, the Jury, find for the defendants.

Ola Hubbard
Foreman of the Jury.

which said verdict is now received by the Court and filed, and the jury is discharged from further duties in this cause.

FEDERAL FARM MORTGAGE CORP.)
VS) # 16389
EDGAR BAILEY, ET AL.)

Come now William H. Thompson, Perry E. O'Neal and Patrick J. Smith for Standard Margarine Co. Inc., and file and enter special appearance of said defendant, which special appearance is in the words and figures following, to-wit: (H.I.).

ALBERT E. UHL, EXECUTOR OF THE)
ESTATE OF LETHA R. HUBINGER,)
DECEASED.)
VS) # 16324
THE HOME INSURANCE CO. OF NEW YORK.)

Comes now the defendant, and files affidavit and motin for change of judge in this cause, by reason of bias and prejudice for Judge Horace L. Hanna, which affidavit and motion are in the words and figures following, to-wit: (H.I.).

HARLAN P. WOOD)
VS) # 16186
E. HOWARD CADLE, ET AL.)

Come now the defendants, and special answer setting up Statute of Limitations by defendants is filed, which special answer is in the words and figures following, to-wit: (H.I.).

Edgar A. Rice
Special Judge

JENNIE SMITH)
VS) # 16261
BELT RAILROAD CO. OF)
INDIANAPOLIS ETC., ET AL.)

Come now the parties, in person and by counsel, and the plaintiff now dismisses this cause as to the defendant Belt Railroad Co. of Indianapolis, a corp., 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: Charles C. Miles, Jessie Meeks, Albe Marley, Kenneth Gray, Walter Barlow, Everett McCollum, Ola Hubbard, Joseph Miller, Neal Cooprider, Cleo Lambert, Louise Durham and William Littell, twelve good and lawful men and weomen, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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 until 9:00 o'clock A. M., June 11th, 1941, as to their duty during separation.

STATE OF INDIANA, ON THE RELATION OF)
LUTHER F. SYMONS, BANK COMMISSIONER)
OF INDIANA)
VS) # 13635
HUNTER BANK)

Comes now the receiver in the above entitled cause and files his verified petition to settle the indebtedness of John Hufford, L. B. Mowry, and George Reitzel, which petition is in the wards and figures as follows, to-wit: (H.I.), and the court being duly advised in the premises finds that the receiver should be authorized to settle said indebtedness of the several debtors set out in the petition as prayed for.

It is therefore ordered, adjudged and decreed that this receiver be and he is hereby authorized to accept the sum of one hundred forty seven dollars and fifty cents ($147.50) in full payment of the note and chattel mortgage of John Hufford in the sum of five hundred dollars ($500), said settlement not to effect the note of two hundred dollars ($200) of John Hufford in the hands of this receiver secured by the signature of Joe Hufford.

It is therefore ordered, adjudged and decreed that this receiver be and he is hereby authorized to settle the indebtedness of L. B. Mowry in the sum of one hundred and thirty seven dollars ($137) for the sum of seven dollars and fifty cents ($7.50) and upon payment of said amount to surrender the note to the said Mowry.

It is further ordered, adjudged and decreed that this receiver be and he is hereby authorized to accept the sum of fifteen dollars ($15) in full settlement of the indebtedness of George Reitzel, and upon the payment of said amount to surrender to George Reitzel all of the notes in the hands of this receiver.

It is further ordered, adjudged and decreed that this receiver be and he is hereby authorized to compromise the indebtedness of Henry and Catherine Zerr for twenty five dollars ($25) and on payment thereof to surrender this note for two hundred three dollars ($203), all of which is finally ordered, adjudged and decreed.

STATE OF INDIANA, ON THE RELATION)
OF LUTHER SYMONS, BANK COMMISSIONER) (Petition filed and order made as of
OF INDIANA) June 7th, 1941.)
VS) # 13635
HUNTER BANK)

Comes now the receiver and files his petition for authority to settle notes and release mortgage against Raymond A. Webb, the amount of the mortgage note being $110.00, and the unsecured note $50.00, with credits to the amount of $32.00. Which petition is of the words and figures as follows, to-wit: (H.I.).

And the court being duly advised in the premises finds that said petition should be allowed.

It is therefore ordered, adjudged and decreed by the court that this receiver is hereby given authority to accept $25.00 in full payment of the notes and mortgage of Raymond A. Webb, and to release mortgage and surrender the notes.

It is also ordered, adjudged and decreed that the receiver accept the sum of $25.00, in cash of the liability of Raymond A. Webb held by the receiver according to the terms of the said petition, all of which is finally ordered, adjudged and decreed.

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 11th, 1941.

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

JENNIE A. DUKE)
VS) # 16305
THOMAS A. DUKE)

Come now Hume and Gaston, Attorneys for the defendant, and withdraw their appearance herein.

JENNIE SMITH)
VS) # 16261
BELT RAILROAD CO. OF)
INDIANAPOLIS ETC. ET AL.)

Come now the parties, in person and by counsel, and the jury is brought into court, and the plaintiff moves the Court to dismiss this cause, without prejudice, at the cost of the plaintiff.

The Court being sufficiently 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, Jennie Smith, is ordered to pay the costs of this action, taxed at _____dollars and _____cents, and the jury is discharged.

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) # 16397
THE PENNSYLVANIA)
RAILROAD COMPANY)

Comes now the plaintiff and moves the Court for a rule requiring the defendant to answer complaint herein.

The Court being duly advised, now sustains said motion, and the defendant is ruled to answer complaint herein on or before June 23rd, 1941.

FARMERS HATCHERY AND SUPPLY)
CO. INC.)
VS) # 16387
GLADYS McCARTY)

The defendants are ruled to answer complaint herein on or before June 21st, 1941.

FARMERS HATCHERY AND)
SUPPLY CO. INC.)
VS) # 16386
CLYDE McCARTY AND)
GLADYS McCARTY)

Comes now the plaintiff, and moves the Court for a rule requiring the defendants to answer complaint herein.

The Court being duly advised, now sustains said motion, and the defendants are ruled to answer complaint herein on or before June 21st, 1941.

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

IN THE HENDRICKS CIRCUIT COURT

MAY TERM, 1941.

THOMAS NUGENT)
vs.)
ESTHER TONGRET)
CARL W. ROSS)
MRS. CARL W. ROSS, whose Christian)
name is unknown.)
BERNICE CLOW)
CECIL M. ROSS)
JEAN L. ROSS)
MAE GREEN)

CAUSE NO. 15811.

SPECIAL FINDING OF FACTS AND

CONCLUSIONS OF LAW.

The Court, at the request of the defendants, Carl W. Ross and Cecil M. Ross, makes the following finding of facts in this cause and states conclusions of law thereon as follows:

The Court finds the facts to be;

1. That on the 5th day of August, 1937, the defendants, Esther Tongret and Stewart T. Tongret, for a good consideration, executed and delivered to the plaintiff, Thomas Nugent, their promissory note calling for the principal sum of One Hundred and Seventy Five Dollars ($175.00), together with interest at the rate of six per cent (6%) per annum from date to February 14th, 1938, and eight per cent (8%) from said date until payment with attorneys fees; that said note is now due and unpaid in the following amounts:-

Principal	$175.00
Interest	57.15
Attorneys fees	50.00
TOTAL	$282.15

2. That to secure the payment of the above note the defendants, Tongret and Tongret, on the said 5th day of August, 1937, executed and delivered to plaintiff, Thomas Nugent, a mortgage on the following described real estate;-

The South half (1/2) of Lot Number 9 in William Young's Subdivision of Out lot 181 in the City of Indianapolis, Marion County, Indiana.

3. That on the 5th day of August, 1937, Harvey Foxworthy and Maude Foxworthy, husband and wife, the then owners of the above described real estate, for good consideration executed and delivered to Esther Tongret their Warranty Deed to the said real estate; that the said deed was signed, acknowledged and delivered and named the said Esther Tongret as the grantee thereof.

4. That said deed so conveying said real estate to said Esther Tongret was never recorded, but on the 1st day of November, 1937, said deed was recorded in said Marion County, in an altered form, in this, that the name of the grantee, Esther Tongret, was crossed out by pen and ink and the name of Bernice Clow inserted therein in ink.

5. That the insertion of the name "Bernice Clow" as grantee in said deed was made

without the knowledge or consent or authority of said grantors, Foxworthy and Foxworthy, and without the knowledge or consent or authority of either the grantee, Esther Tongret, or the plaintiff, Thomas Nugent, and neither of these parties knew of said change until some time after said altered deed was recorded; that the said Foxworthy and Foxworthy never had any dealings with Bernice Clow and did not deed the real estate to her.

6. That the defendant, Cecil M. Ross, now claims to be the owner of said real estate by reason of a Warranty Deed executed by said Bernice Clow, dated February 7th, 1939.

7. That on the 1st day of November, 1937, Stewart Tongret, who had come into possession of said deed, inserted the name of Bernice Clow as grantee in said deed and delivered said deed to the agent of Bernice Clow, receiving from the same a credit of $750.00 which Stewart Tongret and Esther Tongret owed to Bernice Clow; that said sum of $750.00 has never been returned or offered to be returned to Bernice Clow.

8. That Bernice Clow received said deed on the first day of November, 1937, recorded the same on said date and took possession of said real estate;that on the 7th day of February, 1939, Bernice Clow made, executed and delivered to Cecil M. Ross a warranty deed for said real estate subject to the balance of the mortgage to the Home Owners Loan Corporation reduced to $400.00 and subject to current taxes, but Bernice Clow had paid the delinquent taxes in the sum of $120.00; that before Bernice Clow took said deed from the Tongrents, she had the abstract to said real estate examined and found no evidence of the mortgage of this plaintiff and had no actual knowledge of the existence of said mortgage.

9. The Court finds that defendant, Carl Ross, was the agent for defendant, Cecil M. Ross, and was also the agent of Bernice Clow, and as such agent, knew that said deed executed on August 5, 1937, had been altered and changed.

10. That the defendant, Cecil M. Ross, did have knowledge, through his agent, Carl Ross, of the alteration in said deed prior to the conveyance to him of February 7, 1939.

11. That the defendant, Cecil M. Ross' title to said real estate is based solely upon said pretended conveyance to him from said Bernice Clow, dated February 7, 1939.

12. That said defendant, Stewart T. Tongret, is dead and that he left no estate to be administered.

13. That plaintiff, Thomas Nugent, is entitled to a personal judgment against defendant, Esther Tongret in the sum of Two Hundred and Eighty Two Dollars and Fifteen Cents ($282.15) without relief from valuation or appraisement laws, and which judgment should draw interest at the rate of eight per cent (8%) per annum from the date of rendition thereof.

14. That plaintiff, Thomas Nugent, is entitled to have his said mortgage foreclosed against said real estate and an order of sale of said real estate to satisfy said judgment, as against all parties to this suit.

15. That the said defendants, Cecil M. Ross and Bernice Clow, did not at any time have personal knowledge of the mortgage of the plaintiff, Thomas Nugent, securing the above note, prior to the execution of the conveyance or deed of said Bernice Clow.

16. That said defendant, Esther Tongret, is the owner in fee simple of said real estate, subject to plaintiff's mortgage and foreclosure judgment herein.

17. That defendant, Cecil M. Ross, has no title or interest in and to said real estate.

Dated this 11th day of June, 1941

Horace L. Hanna
Judge of the Hendricks Circuit Court.

And as conclusions of law upon the facts, the Court states:-

1. That the plaintiff, Thomas Nugent, is entitled to a personal judgment against defendant, Esther Tongret, upon the note in question in the sum of Two Hundred and Eighty Two Dollars and Fifteen Cents ($282.15) without relief from valuation and appraisement laws, and his costs.

2. That plaintiff, Thomas Nugent, is entitled to have his mortgage on said real estate foreclosed and said real estate sold to satisfy his said mortgage lien, as against all the defendants herein.

3. That the claims of defendants, Cecil M. Ross and Jean Ross, to the real estate in question are unfounded and that they take nothing by their answer and cross-complaint herein.

4. That the defendant, Esther Tongret, is the owner in fee simple of said real estate, subject to plaintiff's mortgage lien.

5. That defendants, Cecil M. Ross and Jean Ross, have no right, title or interest in said real estate adverse to defendant, Esther Tongret.

Dated this 11th day of June, 1941.

Horace L. Hanna
Judge of the Hendricks Circuit Court.

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

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

JESSIE A. COX)
VS) # 16300
HARLEY A. COX)

Comes now the plaintiff, and moves the Court for an order for alias summons to be issued to the Sheriff of Madison County, Indiana, to be served on the defendant, said summons to be returnable June 27th, 1941.

The Court being duly advised, now sustains said motion and orders alias summons to be issued to the Sheriff of Madison County, Indiana, to be served on the defendant, said summons to be returnable June 27th, 1941.

ROY SHORT)
VS) # 16100 Judgt. vs Pltf. for Costs.
COMMERCIAL CREDIT CO., INC.) J. D. 18, Page
PACKARD INDIANAPOLIS, INC.)

Comes now the plaintiff, and files motion that the above cause be dismissed at the plaintiff's cost, 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 premises, now sustains the same, 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, Roy Short, is ordered to pay the costs of this action, taxed at _____ dollars and _____ cents.

CLARK W. DAY)
VS) # 15989
THOMAS H. DE HART, ET AL.) ENTRY

Clark W. Day, by his attorneys Robert Hutchinson and John A. Kendall, filed their duly verified petition and affidavit showing that the above named defendant Thomas H. De Hart had judgment rendered against him in this court, which verified petition is of the following words and figures, to-wit: (H.I.). And praying therein for an order, ordering said Thomas H. De Hart and the Citizens Gas & Coke Utility Company of Indianapolis, to, by its proper and qualified officer, appear before this court to answer concerning any property either of said judgment defendants may have in amount in excess of the amount of exemption from execution.

Court having read said petition now orders said defendants Thomas H. De Hart and Citizens Gas & Coke Utility by its proper and qualified officer to appear before this court on the 21st day of June 1941, at 9:00 o'clock A. M.

PATTON PARK, INCORP.)
VS) # 16388
MAX POLLAK, ET AL.)

Come now the defendants, and file answer in two paragraphs, which answer is in the words and figures following, to-wit: (H.I.).

AGNES WILLIAMS)
VS) # 16115
ROBERT LEE WILLIAMS)

Comes now Frank R. Beckwith, and files his withdrawal of appearance for the defendant in this cause, which withdrawal is in the words and figures following, to-wit: (W.I.).

BAXTER V. HAVENS)
VS) # 16306 COURT ORDER APPROVING COM-
HARRY S. HAVENS) MISSIONER'S FINAL REPORT
MARY H. FLETCHER)
HELEN JOHNSON)

Comes now HARRY G. GOLLINGSWORTH, the Commissioner herein, and makes his report of final payment and distribution of the purchase money derived from the sale of the real estate herein, which report is in the words and figures as follows:

(H. I.)

And the court having examined the same and being sufficiently advised now approves said report and further orders that said Commissioner and his Surety, HARTFORD ACCIDENT AND INDEMNITY COMPANY, be discharged and relieved of any further liability and said case is now ordered closed.

It is so ordered and decreed by the court this 12th day of June, 1941.

STATE OF INDIANA, ON THE RELATION)
OF LUTHER F. SYMONS, BANK COMMIS-)
SIONER OF INDIANA)
VS) # 13635
HUNTER BANK)

Comes now the receiver, and comes also Earl Merritt, and the claim of said Merritt is now submitted to the Court, and the Court hearing the evidence, finds that said claim should be allowed in the sum of $41.50, and that said claim is a preferred claim for labor and should be paid by said receiver as a preferred claim in the sum of $41.50.

It is, therefore, ordered that said receiver pay said $41.50 to said Earl Merritt on the claim filed herein, in full for his services, said claim to be paid as a preferred claim.

GEORGE C. HARVEY)
VS) CAUSE NO. 16371
HELEN H. CUSACK) ENTRY
ROWENA G. HARVEY)
JUSTIN M. HARVEY)

Comes now George W. Hadley, commissioner and comes also now Earl B. Teckmeyer and Owen Stone, two disinterested free-holders of the County of Marion, State of Indiana, heretofore appointed by the court to appraise the real estate described in plaintiff's petition for partition of said real estate, and files their written appraisal under oath of said real estate, which is in words and figures following: (W.I.) and which is examined and approved by the court. And the court having heretofore adjudged the parties hereto to be the owners of said real estate in the proportions therein set forth,

and having heretofore adjudged that said real estate is not susceptible of partition without damage to said owners, and that the same should be sold by a commissioner, and having heretofore adjudged that a commissioner be appointed to make sale of said real estate, and having heretofore appointed George W. Hadley as commissioner to make such sale and fixed his bond in the amount of $3000.00, and the said George W. Hadley having heretofore accepted said trust and having heretofore duly qualified as such commissioner and furnished and filed bond in the amount of $3000.00 to the approval of this court;

It is, therefore, considered, adjudged, and decreed by the court that the said commissioner proceed to sell the whole of the real estate described in plaintiff's petition for partition, the same lying and being in Marion County, State of Indiana, and described as follows: to-wit:

Lot Numbered four (4) in Milligan's Park Lane Addition to the City of Indianapolis, Marion County, Indiana,

at private sale for not less than the full appraised value thereof and for cash.

Notice of the time, terms, and place of said sale shall be given by 2 publications thereof once each week for 2 weeks successively in some daily newspaper of general circulation printed in the English language and published in Marion County, State of Indiana, and by posting written or printed notices thereof in 5 public places in the township wherein said real estate is situate, which notice shall be so published and all notices so posted 14 days prior to the time fixed for said sale, and if said real estate is not sold on said date said sale shall continue from day to day thereafter until said real estate is sold.

It is further considered and adjudged that upon such sale being made and confirmed by the court all claim, right, and title in and to said real estate held by any of said owners thereof shall be as effectually barred as if said parties had themselves executed a conveyance thereof to the purchaser. And the interests of said owners in and to said real estate shall be transferred and attached to the funds arising from said sale, after the payment of the costs of this action and all the necessary expenses thereof, in the proportion heretofore found by this court. And the said commissioner is now directed and ordered to proceed to the execution of the foregoing order for the sale of said real estate and to make due report of his doings to this 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, June 13th, 1941.

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

FEDERAL FARM MORTGAGE CORPORATION)
VS) # 16389
EDGAR BAILEY, ET AL.)

Comes now the defendant, Standard Margarine Company, Inc., and files answer disclaiming any interest of any kind or character in the property described in plaintiff's complaint that is prior to the interest of plaintiff, which answer is in the words and figures following, to-wit: (H.I.).

MARY BROWN TROTTER)
VS) # 15555 Judgt. vs Deft. for $500.00 and Costs.
CHARLES STRAIN) J. D. 18, Page 212.

Comes now the defendant, and files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

Come now the parties, 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.

Evidence is heard, and the Court finds for the plaintiff and that there is due and unpaid the plaintiff from the defendant the sum of five hundred dollars together with the costs laid out and expended by the plaintiff in this cause.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Charles Strain, the sum of five hundred dollars, together with the cost of this action, laid out and expended at _____dollars and _____cents.

CLARK W. DAY)
VS) ENTRY # 15989
THOMAS H. DE HART)
CITIZENS GAS AND COKE UNILITY)

Comes now the plaintiff and shows to the Court that the order for judgment debtor and third party to appear and answer to be served on the defendant, Thomas H. De Hart, has been returned by the Sheriff of Hendricks County, Indiana, unsatisfied and not found.

Comes now John A. Kendall, Attorney for said plaintiff and filed motion for alias notice to be issued to said defendant Thomas H. De Hart, which motion is of the following words and figures, to wit: (H.I.) Court having read said petition, now sustains said motion. Notice ordered issued to said defendant Thomas H. DeHart for him to appear in the Hendricks Circuit Court on June 21, 1941 at 9 A.M.

DELIA MORAN)
VS) # 16082
FRANK PERKINS)
FLORA PERKINS)
HENDRICKS COUNTY WELFARE)
ASSOCIATION)

The defendants, Frank Perkins and Flora Perkins, are ruled to answer complaint herein on or before June 23rd, 1941.

STELLA M. TAFLINGER AND)
E. A. WHITE)
VS) # 16394
MANERVA MARCHAL)

The defendant is ruled to answer on or before June 25th, 1941.

BROWNSBURG STATE BANK)
VS) # 15686 Judgt, vs Deft. for $147.19 and Costs.
WILLIS H. SCHENCK) J. D. 18, Page 212.

Comes now the plaintiff, and shows to the Court the summons and return thereon issued to the Sheriff of Hendricks County, Indiana, and served on said defendant, and the Court examining same finds that said defendant has been duly served with process more than ten days before the day fixed on plaintiff's complaint herein and now on motion of plaintiff said defendant is now three times loudly called in open Court and comes not and herein wholly makes default.

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 the Court finds for the plaintiff and that there is due and unpaid plaintiff on the note sued on herein the sum of $127.19 principal and interest, and twenty dollars attorney fees. Plaintiff is entitled to judgment herein against the defendant for $147.19, together with its costs expended and laid out herein.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Willis H. Schenck, the sum of $147.19, together with the costs of this action, taxed at _____dollars and _____cents.

DONALD B. DICKERSON)
VS) # 16216 On Account of Change of Venue.
C. C. C. & ST. L.)
RAILWAY CO., 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 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 byat said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and - - - Cents ($10.00) in the case

of Donald B. Dickerson vs. C.C.C. & St. L. Railway Co., Etc. 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.

June 13th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

HELEN G. VEDETTE)
VS) # 16400
ALVA LUTHER VEDETTE)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

EMMA DAWSON)
VS) # 16067 On Account of Change of Venue.
ADA AIRHART)

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. Six Dollars and - - - Cents ($6.00) in the case of Emma Dawson vs. Ada Airhart 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 13, 1941. Horace L. Hanna,

Judge 55th Judicial Circuit of Indiana.

WM. B. COOLEY, ET AL., ETC.)
VS) # 15546 On Account of Change of Venue.
LIBERTY ELECTRIC CO., 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. Six Dollars and - - - Cents ($6.00) in the case of Wm. B. Cooley, et al., etc. vs. Liberty Electric Co. 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.

June 13th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

STANLEY K. BUNTAIN)
VS) # 15519 On Account of Change of Venue.
ORA E. LOWE)

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. Six Dollars and - - - Cents ($6.00) in the case of Stanley K. Buntain vs. Ora E. Lowe 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 13th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

L. CARL BERRY)
VS) # 15099 On Account of Change of Venue.
RED CAB INCORPORATED, 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. Six Dollars and - - - Cents ($6.00) in the case of L. Carl Berry vs. Reb Cab Incorporated, 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 13th, 1941. Horace L. Hanna,

Judge 55th Judicial Circuit of Indiana

STATE OF INDIANA, EX REL,)
BARBARA ELLEN DARNELL)
VS) # 16227 On Account of Change of Venue.
CARL GITHENS)

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. Eleven Dollars and - - Cents ($11.00) in the case of State of Indiana, ex rel Barbara Ellen Darnell vs. Carl Githens 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 13th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

MARY FREY)
VS) # 16268 On Account of Change of Venue.
KISSEL-SKILES OF)
INDIANAPOLIS INC. 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. Six Dollars and - - - Cents ($6.00) in the case of Mary Frey vs Kissel-Skiles of Indianapolis Inc., 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 13th, 1941. Horace L. Hanna,

Judge 55th Judicial Circuit of Indiana.

MARGARET D. RILEY)
VS) # 16303 On Account of Change of Venue.
JOSEPH A. RILEY)

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, adjudiciated 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. Eleven Dollars and - - - Cents ($11.00) in the case of Margaret D. Riley vs. Joseph A. Riley 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 13th, 1941. 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, June 14th, 1941.

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

IRIS CHASTAIN)
VS) # 16192
HAROLD HUTSON)

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

The defendant is ruled to answer second paragraph of amended complaint on or before June 19th, 1941.

JENNIE A. DUKE)
VS) # 16305
THOMAS A. DUKE)

Comes now the defendant, and files answer, which answer is in the words and figures following, to-wit: (H.I.).

This cause is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court hearing the evidence in this cause, the same is now taken under advisement.

HELEN G. VEDETTE)
VS) # 16400 Judgt. vs Pltf. for Costs.
ALVA LUTHER VEDETTE) J. D. 18, Page 212.

Comes now the plaintiff, and moves the Court to dismiss this cause at the cost of the plaintiff.

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, Helen G. Vedette, is ordered to pay the costs of this action, taxed at _____dollars and_____cents.

PATTON PARK, INCORP.)
VS) # 16388
MAX POLLAK, ET AL.)

Come now the defendants, Max Pollak and Betty Pollak, and file cross-complaint, which cross-complaint is in the words and figures following, to-wit: (H.I.).

The Court now orders summons issued to the Sheriff of Morgan County, Indiana, to be served on cross-defendant as shown on cross complaint, to be returnable June 30th, 1941.

STATE OF INDIANA)
VS) # 8118 Judgt. vs Deft. for $25.00 Fine & Costs.
JAMES BUIS, JR.) J. D. 18, Page 212.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, James Buis, Jr., in his own proper person and by his attorney, John A. Kendall, and the Court now enters judgment in the above cause.

It is, therefore, adjudged by the Court that said defendant, James Buis, Jr., for the offense by him committed shall be and he is fined $25.00, and shall pay the costs of this action, taxed at _____dollars and _____ cents.

The Court further orders that defendant's operator's license number 864414 for the year of 1941, be suspended for fifteen days, and that the Clerk send certified copy of this judgment to Motor Vehicle Department as required by law.

STATE OF INDIANA)
VS) # 8119 Judgt. vs Deft. for $15.00 Fine & Costs.
JAMES BUIS, JR.) J. D. 18, Page 213.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, James Buis, Jr., in his own proper person and also by his attorney, John A. Kendall, and now this cause is submitted to the Court for trial and judgment, the defendant waiving the right to a jury.

Evidence is heard, and the Court finds the defendant guilty of malicious trespass.

It is, therefore, adjudged by the Court that said defendant, James Buis, Jr., for the offense by him committed shall be and he is fined fifteen 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, June 16th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

RAYMOND RUSE,)
ARTHUR McGLOTHLIN,)
ARTHUR McGLOTHLIN, GDN.)
FOR KENNTH McGLOTHLIN)
VS) # 16075
GEORGE E. RUSE,)
ELVA RUSE,)
HENRY BRUNES.)

Comes now Constant V. Abeele, and files amended petition to interven and amended motion for new trial, which amended petition to interven and amended motion for new trial are in the words and figures following, to-wit: (H.I.).

AGNES DONOVAN

VS CAUSE NO. 16401 NOTICE TO APPEAR

OTTIS DONOVAN

TO: OTTIS DONOVAN
312 SOUTH HANCOCK STREET
INDIANAPOLIS, INDIANA

Comes now the plaintiff in the above entitled cause and files herein her verified petition showing therein that the said defendant is in default of the weekly payments ordered paid to said plaintiff and respectfully asks the court to fix a date for a hearing thereon which petition reads as follows: (H.I.)

And the court having examined said petition now orders said defendant to appear in this court on the 21st day of June, 1941 at the hour of 9 A. M. or as soon theraftter as the same may be heard and to show cause why he should not be punished for contempt of court.

And the Sheriff of Marion County is hereby ordered and directed to serve a copy of this notice on said defendant and to make due return thereof to the Clerk of this court.

Horace L. Hanna

JUDGE OF THE HENDRICKS COUNTY CIRCUIT COURT

ALVA R. SMITH)
VS) # 16333
SPEEDWAY STATE BANK)

Come now the parties, and the plaintiff moves to dismiss the paragraph three of plaintiff's complaint. The Court being duly advised, now sustains said motion, and paragraph three of plaintiff's complaint is dismissed.

Now 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, argument is had, and the Court takes matter under advisement.

AGNES DONOVAN)
VS) # 16401
OTTIS DONOVAN)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

CATHERINE LITTREL BEATLY)
VS) # 16402
INDIANAPOLIS LODGE NO. 17)
LOYAL ORDER OF MOOSE)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

LUCILLE E. DAVIS)
VS) # 16403
MORRIS W. DAVIS)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following,to-wit: (H.I.).

STATE OF INDIANA)
VS) # 16404
RALPH HARRIS)
EDWARD E. SHUFELTON)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

EDWARD L. HOLLIS)
VS) # 16405
UNITED TAXI, INC., ET AL.)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

CLINTON C. PRATHER, ET AL)
VS) # 16406
LEON FRANK, ET AL.)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers 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, June 17th, 1941.

Court met pursuant to adjournment

Present Honorable Horace L. Hanna, Judge.

HARRY SCHWAB)
VS) # 16253
GEORGE LAMB)

Comes now the plaintiff, and files the following answers to interrogatories one to three of the defendant, which answers are in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA)
VS) Cause # 16393
IDA M. McCURDY) FINAL ENTRY Judgt. vs Pltf. for Costs.
CLARENCE E. McCURDY) J. D. 18, Page 213.
MARTIN C. LINKMEYER)
ANNA K. LINKMEYER)

Comes now the plaintiff, State of Indiana, by George N. Beamer, Attorney General and Caleb J. Lindsey, Deputy Attorney General, its Attorneys, and moves the Court to dismiss this cause of action at the plaintiff's costs.

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

STATE OF INDIANA ON THE RELATION)
OF LUTHER F. SYMONS, BANK COM-)
MISSIONER OF INDIANA)
VS) # 13635
HUNTER BANK)

Comes now the Receiver in the above entitled cause and files his verified petition herein to settle the indebtedness of W. F. Holloway, May Holloway, Mary A. Holloway, 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 said notes should be compromised and settled as prayed for in said petition.

It is therefore ordered, adjudged and decreed the mortgage note of W. F. Holloway, Mary Holloway and Mary A. Holloway in the sum of $836.00, and the further personal notes of W. F. Holloway in the sum of $87.00 and $668.00 with credits of $200.13 all be settled for the sum of $1000.00 and the receiver is hereby authorized to make such settlement.

It is further ordered that on the payment of the sum of $1000.00, that the receiver herein released and satisfy the mortgage given to secure the payment of said note for $836.00 and to surrender to the maker all of said notes.

ALBERT E. UHL, EXECUTOR OF THE)
ESTATE OF LETHA R. HUBINGER,)
DECEASED.)
VS) # 16324
THE HOME INSURANCE CO. OF NEW YORK.)

Come now the parties, and the Court now sustains the motion for change from Judge Horace L. Hanna, heretofore filed, and now nominates the following judges and presents their names to the parties hereto; Judge Ernest Stewart, Boone Circuit Court; Judge Edgar Rice of Montgomery Circuit Court; and Judge Marshal Abrams of Putnam Circuit Court.

Come now the parties and strike and Judge Marshal Abrams' name remaining, the Court now appoints Honorable Marshal Abrams Special Judge to try said 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 18th, 1941.

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

MARY ELLEN BORDERS)
VS) # 16381
LEON BAYLISS)
HAZEL BAYLISS)

The defendants are ruled to answer on or before June 30th, 1941.

JULIA M. BROWN)
VS) # 16205
J. RAY MONAGHAN, ET AL.)

Comes now the defendant, J. Ray Monaghan, and files amended second paragraph and counter claim to plaintiff's complaint, which amended second paragraph of answer and counter claim to plaintiff's complaint is in the words and figures following, to-wit: (H.I.).

IRIS CHASTAIN)
VS) # 16192
HAROLD HUTSON)

Comes now the defendant, and files motion to make second paragraph of amended complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

GENEVIEVE LYDAY)
VS) # 16040 Judgt. vs Pltf. for Costs.
JOHN M. CONATON, ETC.) J. D. 18, Page 213.

Comes now the plaintiff, 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.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, 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, Genevieve Lyday, is ordered to pay the costs of this action, taxed at _____dollars and_____ cents.

STATE OF INDIANA ON RELATION OF)
TONEY E. FLACK, Administrator)
de bonis non of the Estate of)
Roy Stringer, deceased)
VS) # 16072
SEABOARD SURETY COMPANY) E N T R Y
a corporation)

Comes now the parties hereto, by counsel, and this cause having been at issue and having been submitted to the court for trial without intervention

of a jury, and the court having heard the evidence and the arguments of counsel and having taken the same under advisement and now being duly advised in the premises finds:

That one Roy Stringer departed this life testate on or about the 15th day of October, 1935 in Marion County, Indiana. That on or about the 22nd day of October, 1935, one Anne Hansen Stringer was by the Marion Probate Court of Marion County, Indiana, duly appointed executrix of the estate of said Roy Stringer, and that on said date she executed her bond to the State of Indiana as such executrix in the penal sum of Two Thousand Dollars ($2,000.00), conditioned that the said Anne Hansen Stringer shall faithfully discharge the duties of her said trust. That defendant, Seaboard Surety Company, a corporation, executed said bond as surety.

The letters of administration were thereupon issued to the said Anne Hansen Stringer and she entered upon the duties of said trust and made and filed in said estate and in said Marion Probate Court her inventory showing the personal property in said estate of an appraised value of Three Thousand Four Hundred Dollars ($3,400.00) That in addition to the said personal property in such inventory and appraisal set forth, there was in said estate a certificate for six hundred (600) shares of the capitol stock of the Roy Stringer Company, Limited. That there were other moneys that the executrix failed to properly account for. That the reasonable and fair cash value of the personal property of said Roy Stringer estate that came into the hands of said executrix was in excess of Five Thousand five hundred Dollars ($5,500.00).

That said executrix did not make any accounting to the said Marion Probate Court for the property and assets of said estate. That before the beginning of this action said Marion Probate Court made and entered its order ordering said executrix to show cause why she should not file her final report and accounting in said estate and said executrix wholly failed to appear and show cause for not filing her report and accounting. That thereupon said Marion Probate Court ordered said executrix to file her account in said estate therein; that said executrix failed and refused so to do and said executrix was by said Marion Probate Court thereupon removed and relator herein, Toney E. Flack, was by said Marion Probate Court duly appointed administrator de bonis non of said estate.

That said executrix, Anne Hansen Stringer, has wholly failed to make any report or accounting of the assets of said trust to said Marion Probate Court and has failed to account to relator herein.

That there has been filed and allowed in said estate in said Marion Probate Court claims against said estate in sums in excess of Five Hundred Dollars ($500.00) and which sums remain and are wholly unpaid.

That said decedent left a will, and which will was by said Marion Probate Court probated and is of record in the records of said court and by which will said decedent devised to his three (3) children, Edith Stringer, Floy Stringer, and Hazel Stringer, each One Thousand Dollars ($1,000.00) if living at the time of death of said decedent. That each of said children and devisees were living at the time of the death of said decedent but that no part of said devise has been paid to either of said children but each devise remains and now is wholly unpaid.

That the costs of administration of said estate have not been paid. That the plaintiff is entitled to recover of and from the defendant the sum of Two Thousand Dollars ($2,000.00) and his costs laid out and expended in this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that plaintiff, State of Indiana, on relation of Toney E. Flack, administrator de bonis non

of the estate of Roy Stringer, deceased, recover of and from the defendant, Seaboard Surety Company, a corporation, the sum of Two Thousand Dollars ($2,000.00) and his costs in this cause laid out and expended and taxed at $_____.

FRED C. H. WITTE, ET AL.)
VS) # 16050 On Account of Change of Venue.
EDWIN C. HUNTINGTON, 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. Fifteen Dollars and Fifty Cents ($15.50) in the case of Fred C. H. Witte, et al. vs. Edwin C. Huntington, 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, 1941

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

CHARLES J. KELLY, ADMR.)
VS) # 15054 On Account of Change of Venue.
SOL B. FRIEDLAND, 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 mount thereof, to-wit. Six Dollars and - - - Cents ($6.00) in the case of Charles J. Kelly, Admr. vs. Sol B. Friedland, 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, 1941.

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

CLINTON C. PRATHER)
VS) # 16406
LEON FRANK, ET AL.)

The defendants are ruled to answer complaint herein on or before June 28th, 1941.

CASSIUS P. CURTIS)
VS) # 15798
JOE R. BECKETT)

The Court having had under advisement the motion of the plaintiff to strike out interrogatories numbered 39, 41, 46, 51, 61, 73, 74, 75 and 76, submitted by the defendant, now sustains said motion as to interrogatories numbered 41, 46, 73, 74, 75 and 76, to which ruling of the Court the defendant objects and excepts, and the Court now overrules said motion as to interrogatories numbered 39, 51 and 61,(said interrogatory number 39 is answered), to which ruling of the Court the plaintiff objects and excepts.

The plaintiffs are ruled to answer interrogatories numbered 51 and 61 on or before June 28th, 1941.

HOWARD HOLCOMB INC.)
VS) # 16271 On Account of Change of Venue.
SALLY ABRAMS, 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. Twenty Dollars and - - - Cents ($20.00) in the case of Howard Holcomb Inc. vs. Sally Abrams, 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, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

EDWARD DALE COX)
VS) # 16224 On Account of Change of Venue.
INTERSTATE MOTOR)
FREIGHT SYSTEM, 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 Edward Dale Cox vs. Interstate Motor Freight System, 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, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

CLARENCE V. GARRIOTT)
VS) # 16064 On Account of Change of Venue.
LIGOURI A. DOWNEY)

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. Thirty-Eight Dollars and Fifty Cents ($38.50) in the case of Clarence V. Garriott vs. Ligouri A. Downey 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, 1941.

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

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 19th, 1941.

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

STATE OF INDIANA)
VS) # 8158
EMMA ADAMS)

Comes now the defendant, Emma Adams, and moves the Court to quash Count two of the indictment herein, which motion is in the following words and figures, to-wit: (H.I.).

Oral argument on said motion is set for 1:00 o'clock P. M., June 21st, 1941.

VIRGINIA GORHAM)
VS) # 16396
CLOYCE BOYD GORHAM)

Comes now the plaintiff, and files petition for allowance for attorney fees and Court costs, which petition is in the following words and figures, to-wit: (H.I.).

IRIS CHASTAIN)
VS) # 16396
HAROLD HUTSON)

Come now the parties, and oral argument is had on defendant's motion to make second paragraph of amended complaint more specific. The Court being duly advised, now overrules said motion, to which ruling of the Court the defendant objects and excepts.

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

Comes now the plaintiff and files demurrer to defendant, Roy Clark's, plea in abatement, which demurrer is in the following words and figures, to-wit: (H.I.).

Come now the parties, and oral argument is had on demurrer to plea in abatement. The Court being duly advised, now sustains the plaintiff's demurrer to defendant Clark's plea in abatement, to which ruling of the Court the defendant, Roy Clark, objects and excepts.

The defendants are ruled to answer complaint herein on or before June 23rd, 1941.

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 20th, 1941.

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

BERNICE CUMBERWORTH)
VS) # 15968
ANNA TOWNSEND)

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.).

GRACE A. LARH, DOING)
BUSINESS AS A-1 BUILDING)
AND SUPPLY COMPANY)
VS) # 16154
GEORGE MAYHEW, ET AL.)

Come now the parties, 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 parties are to file briefs, and the Court takes matter under advisement.

JOHN B. JUSTICE)
VS) # 16325
FLORA C. TATMAN,)
FLORENCE MUNDAY,)
ANNA BELL CORNCAMP,)
LENORA O'KEEF EDMONDS,)
JOHN A. EDMONDS,)
EDNA EDMONDS DALE,)
THE FEDERAL LAND BANK OF LOUISVILLE,)
ANABEL KORTKAMP,)
THE UNKNOWN WIDOWER, HEIRS AT LAW, DEVISEES, LEGATEES AND ASSIGNEES OF EDNA EDMONDS DALE, DECEASED.)

Comes now Roscoe L. Edwards, the Commissioner heretofore appointed and files 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 after giving notice of the sale of said real estate and having the same duly appraised, which appraisement is now filed in this court, and reads as follows; (H.I.), all as required by the order of this court authorizing such sale, said Commissioner sold real estate at private sale to John B. Justice, for the sum of $6000.00, less the sum of $2144.37, due the defendant The Federal Land Bank of Louisville on its mortgage on said real estate, which mortgage said purchaser assumes and agrees to pay, which said purchase price is more than the full appraised value thereof. That said purchaser have paid the full amount of purchase money in cash, and which cash, $3855.63, is now by said Commissioner 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 now 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, expenses and allowances, to distribute, without delay, the cash proveeds 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 payments.

And this cause is continued for report of said commissioner.

HENRY J. KIPLINGER)
VS) # 16364 Entry Judgt. vs Deft. for $85.00 and Costs.
HENRY FRIEDMAN) J. D. 18, Page 214.

Come now the parties 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 on his complaint herein and the Court finds against the defendant on the cross-complaint or counter claim filed herein. The Court finds the allegations in plaintiff's complaint are true, and the Court finds that there is due the plaintiff from the defendant on the claim and demand sued upon herein the sum of sixty (60) dollars and the further sum of twenty-five (25) dollars, fees for plaintiff's attorney, and which sums the plaintiff is entitled to recover from defendant, together with costs of this action, all without relief from valuation or appraisement laws.

And the Court further finds that on the 24th day of June,1940, and within sixty days after performing the labor and furnishing the materials mentioned in plaintiff's complaint, the plaintiff filed in the office of the Recorder of Marion County, State of Indiana, a notice of his intention to hold a lien upon the real estate and premises mentioned and described in the complaint, and that said notice was, on said day, duly recorded in the office of said recorder; the Court further finds that the plaintiff has and holds a lien on said premises for he amount of his said claim, and that he is entitled to have his lien enforced against said premises, described in plaintiff's complaint herein.

It is, therefore, considered and adjudged that the defendant take nothing on his cross-complaint or counter claim filed herein.

It is, therefore, further considered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Henry Friedman, the sum of eighty-five dollars, together with the costs of this action, taxed at _____dollars and _____cents.

It is further considered, adjudged and decreed by the court that a certified copy of this order and decree issue to the sheriff of Marion County, Indiana, directing him to sell the said described premises, to-wit:

Lot Sixty-nine (69) Osgood's Forrest Park Addition to the City of Indianapolis, County of Marion, State of Indiana, 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 from this date, and that any balance remaining be paid to the defendant.

Dated this 20th day of June, 1941.

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 21st, 1941.

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

FARMER HATCHERY AND)
SUPPLY CO. INC.)
VS) # 16387
GLADYS McCARTY)

Comes now the defendant, Gladys McCarty, 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: (H.I.).

FARMERS HATCHERY AND)
SUPPLY CO. INC.)
VS) # 16386
CLYDE McCARTY AND)
GLADYS McCARTY)

Comes now the defendant, Gladys McCarty, 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: (H.I.).

POLAR ICE AND FUEL CO.)
VS) # 16365
ORAL McCAMMACK)

Comes now the defendant, and files motion to make complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

FRIEDA G. PATTON)
VS) # 16377
ARLAND A. PATTON)

Comes now the plaintiff, and files affidavit to show cause, which affidavit is in the words and figures following, to-wit: (H.I.). and the same is set for hearing, June 27th, 1941, at 1:00 o'clock P. M.

LEO T. PORTER)
VS) # 16287
CECIL WINSTED)
HAZEL WINDSTED)

Comes now the plaintiff, and moves the Court to dismiss this 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.

LEO T. PORTER)
VS) # 16286
CECIL O. WINSTED)

Comes now the plaintiff, and moves the Court to dismiss this 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.

STATE OF INDIANA)
VS) # 8160 Judgt. vs Deft. for $10.00 Fine & Costs.
FRED CAUDELL) J. D. 18, Page 214.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also 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 said defendant, Fred Caudell, 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.

STATE OF INDIANA)
VS) # 8161 Judgt. vs Deft. for $5.00 Fine & Costs.
MABEL HYSKELL) J. D. 18, Page 214.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Mabel Hyskell, in her 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 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.

STATE OF INDIANA)
VS) # 8162 Judgt. vs Deft. for $25.00 Fine & Costs
RUBY AUSTIN) J. D. 18, Page 214.

Comes now the State of Indiana by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Ruby Austin, in her 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 for the offense by her committed, (operating vehicle while under influence of intoxicating liquor), shall be and she is fined twenty-five dollars, and that she shall pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered that the operator's license issued to the defendant, same being numbered 68,273 for year 1941, be suspended for thirty days, and that the Clerk of this Court forward certified copy of this judgment to the Motor Vehicle Department as required by law.

MABEL PATTON)
VS) # 15553 Judgt. vs Pltf. for Costs.
FLOYD M. SPAULDING) J. D. 18, Page 215.

Comes now the plaintiff and moves the Court to dismiss this cause at the plaintiff's cost.

The Court being sufficiently 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, Mabel Patton, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

LOTTIE L. COOK)
VS) # 15480 Judgt. vs Pltf. for Costs.
NATHANIEL N. BRITT.) J. D. 18, Page 215.

The Court having previously set this case on pre trial calendar and notified plaintiff's attorney and having received no action of any kind in proceeding to get service on the defendant, and no service having been obtained on summons herein, the Court of its own motion now dismisses this cause 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, Lottie L. Cook, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

ERNEST CULVER, ETC.)
VS) # 15680 Judgt. vs Pltf. for Costs.
R. L. VANCE, ETC.) J. D. 18, Page 215.

The Court having previously set this cause on pretrial calender and notified plaintiff's attorney, and no action having been taken by plaintiff to proceed and prosecute this cause or to get service of summons on said defendant, the Court of it's own motion now dismisses this cause 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, Ernest Culver, Doing Business As Culver Coal Company, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

THE INDIANA NATIONAL BANK)
OF INDIANAPOLIS, INDIANA.)
VS) # 15609 Judgt. vs Pltf. for Costs.
HARRY F. TAYLOR) J. D. 18, Page 215.
MINNIE E. TAYLOR)

This cause having been pending in this Court since September 8th, 1938, and no service of summons having been obtained on the defendants, and no further steps being taken by plaintiff to obtain such service and the Court being informed that the defendants are not residents of this county, this cause is now dismissed by the Court 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, The Indiana National Bank of Indianapolis, Indiana, is ordered to 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 23rd, 1941.

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

SOL H. ESAREY)
VS) # 16044
JOHN M. BARNHILL, ET AL.)

Comes now the defendant, Earl I. Larsen, Administrator of the Estate of Joseph T. Stokes, 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: (H.I.).

IRIS CHASTAIN)
VS) # 16192
HAROLD HUTSON)

Come now the parties, and file agreement and stipulation for a continuance of this cause, which agreement and stipulation is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said agreement and stipulation and being sufficiently advised in its premises, now approves the same, and trial of this cause is continued, and is now set for trial on September 11th, 1941.

DELIA MORAN)
VS) # 16082
FRANK PERKINS, ET AL.)

Comes now the defendant, and files answer to complaint, which answer is in the following words and figures, to-wit: (H.I.).

CITY OF CLINTON)
VS) # 16233
GUY G. CUMBERWORTH, ET AL., ETC.)

Come now the parties, and the Court having heretofore rendered judgment in this cause against Guy G. Cumberworth and Guy G. Cumberworth and Charles E. Harris, Co-Partners doing business under the firm name and style of Cumberworth-Harris and Company, and the hearing in attachment coming on to be heard and for further order and judgment.

It is now finally ordered, adjudged and decreed by the Court that the $804.57 now held as a deposit in The Indiana National Bank of Indianapolis, Indiana, in the name of Cumberworth-Harris and Company, the joint property of said Guy G. Cumberworth and Charles E. Harris, that said sum of $804.57 be now paid to the Clerk of the Hendricks Circuit Court, for the use and benefit of the plaintiff herein, and to be applied as a payment on the judgment heretofore rendered in this cause. Upon the payment being made by said bank to the Clerk of this Court, said bank is to be released from any further liability to the plaintiff or the defendants herein by reason of said deposit, and this cause is finally adjudicated.

FLETCHER TRUST CO.)
VS) # 16407
MABEL M. NEWMAN)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

ELIZABETH FRIEDMAN)
VS) # 16408
GLENN E. BLACK)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

JANE OCHELTREE)
VS) # 16409
BEECHER B. WALKER, ET AL., ETC.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

JOHN W. MATLOCK)
VS) # 16410
GERTRUDE M. CRAIL)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

PEOPLES LOAN & TRUST CO.,)
ET AL., ETC.)
VS) # 16411
JOHN O. SPAHR)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

FEDERAL FARM MORTGAGE CORPORATION)
VS) # 16389
EDGAR BAILEY AND LORA E. BAILEY, HIS WIFE;)
STANDARD MARGARINE CO., INC.,)

Judgt. vs Defts., Edgar Bailey & Lora E. Bailey, for $4397.51 and Costs. J. D. 18, Page 216.

Comes the plaintiff, Federal Farm Mortgage Corporation, by Zimri E. Dougan, its attorney, and produces and exhibits to the Court the summons issued to the Sheriff of Hendricks County, Indiana, for defendants, Edgar Bailey and Lora E. Bailey, his 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 duly served with process and notice of the filing and pendency of this suit more than ten days prior to the 7th day of June, 1941, the day fixed by the plaintiff by indorsement upon its complaint for said defendants to appear and answer the

complaint. Said summons and Sheriff's return indorsed thereon are as follows, to-wit: (Here Insert). And said defendants, Edgar Bailey and Lora E. Bailey, his wife, failing to appear and answer the complaint herein, as directed in said summons, are now each severally three times loudly called in open court but come not and herein make default.

And now the plaintiff files the affidavit of a competent person, as follows, to-wit: (Here Insert), that defendants, Edgar Bailey and Lora E. Bailey, his wife, are not in military service, nor is either one of said defendants in such service.

And it now appearing that the defendant, Standard Margarine Co., Inc., has heretofore voluntarialy appeared to the complaint in this suit and filed its answer of disclaimer thereto, the 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, says and finds: That the complaint in this suit was filed in the office of the Clerk of this court on the 24th. day of May, 1941, and by indorsement thereon the Clerk was directed to issue summons upon said complaint to the Sheriff of Hendricks County, Indiana, for defendants, Edgar Bailey and Lora E. Bailey, his wife, and make the same returnable on the 7th. day of June, 1941; that, pursuant to said indorsement, the Clerk issued said summons, which summons was duly served by said Sheriff, as commanded, as heretofore found by the Court.

The Court further finds that on the 25th. day of January, 1934, defendants, Edgar Bailey and Lora E. Bailey, his wife, signed, executed and delivered to the Land Bank Commissioner their certain promissory note for the sum and amount of Thirty-Eight Hundred Dollars, and thereby, for value received, promised and agreed to pay to the order of said Land Bank Commissioner, acting pursuant to Part 3 of the Act of Congress known as the Emergency Farm Mortgage Act of 1933, at his office at 620 South Third Street, in the City of Louisville, in the State of Kentucky, without any relief whatever from valuation or appraisement laws, the principal sum of thirty-eight Hundred Dollars, with interest on said principal su, or the unpaid balance thereof, at the rate of five per centum per annum, payable semi-annually on the first days of March and September in each year, the principal sum being payable on an amortization plan, in forty equal installment semi-annual installments of ninety-five dollars each, the first such installment being payable on the first day of March, 1937, and the remaining installments being payable on each succeeding interest payment date to and including the first day of September, 1956, and a reasonable attorney's fee in the event there is any default in the payment of said note, as provided in said note.

To secure the payment of said note, and debt evidenced thereby, together with interest thereon, as provided in said note, defendants, Edgar Bailey and Lora E. Bailey, his wife, made and delivered to the Land Bank Commissioner, acting pursuant to Part 3 of the Act of Congress known as the Emergency Farm Mortgage Act of 1933, of Louisville, Kentucky, their certain mortgage on the following Real Estate in Hendricks County, Indiana, to-wit:

> The West Half of the Northeast Quarter of Section 20, Township 17 North, Range 1 West, containing 80 acres, more or less;
> Also, a part of the Northwest Quarter of Section 20 in Township 17 North, Range 1 West bounded as follows, beginning at the northeast corner of the East Half of the Northwest Quarter of said Section 20, and running thence south on said East line 24 chains and 97-5/6 links; thence West 22 chains and 97-1/5 links; thence north 5 chains and 2-1/2 links; thence East 2 chains and 83-7/10 links to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 20; thence North 19 chains and 95-7/30 links to the North line of said Section 20; thence East on said line 20 chains and 3-3/4 links to the place of beginning, containing 51-1/2 acres, more or less. Containing in all 131,1/2 acres, more or less.

Said mortgage is dated January 25th. 1934, duly acknowledged by

the mortgagors on the 2nd. day of February, 1934, filed for record in the Recorder's Office of Hendricks County, Indiana, at 10:55 o'clock A.M. on February 3rd. 1934, and recorded in Volume 94, of Mortgages, on pages 126, 127, 128, 129, of the Records of said office.

That by the terms of said mortgage the mortgagors covenant and agree with the mortgagee to pay to him, when due, the several installments of interest and principal of the debt secured thereby, in accordance with the terms of said mortgage and of the promissory note by said mortgage secured, together with a reasonable attorney's fee in the event there is any default in the payment of said note; to pay, when due, all taxes lawfully levied or assessed upon the real estate described in said morrgage, and all amounts secured by mortgage upon said premises prior to the mortgage sought in this proceedings to be foreclosed, and, failing to pay any such tax, or amount secured by other mortgage, it is further provided in said mortgage that the mortgagee may pay the same, and, when so paid, shall become a part of the debt secured by said mortgage and bear interest at the rate of five per centum per annum until paid; that it is further provided in said mortgage that the mortgagors will pay all expenses incurred by the mortgagee in securing an abstract of title to the mortgaged premises in the event of any litigation, to collect the amount due in case of default in the installment payments, and any such expense paid by the mortgagee shall become a part of the debt secured by said mortgage and shall bear interest at the rate of five per centum per annum until paid.

The Court further finds that although the note and mortgage heretofore in these findings referred to and the debt secured thereby appear of record in the name of Land Bank Commissioner, acting pursuant to Part 3 of the Act of Congress known as the Emergency Farm Mortgage Act of 1933, under and by virtue of Section 32 of the Emergency Farm Mortgage Act of 1933, and the amendments thereto, the said note, mortgage and debt secured thereby, were transferred to and are the property of the plaintiff herein, Federal Farm Mortgage Corporation, and that the said Federal Farm Mortgage Corporation is now the legal owner and holder of said note and mortgage, and was such owner and holder long prior to the bringing of this suit.

The Court further finds that the defendants, Edgar Bailey and Lora E. Bailey, his wife, failed and neglected to make the installment payments due and payable on said note and debt on September 1st, 1939, on March 1st, 1940, on September 1st, 1940, and on March 1st, 1941, and each of said installment payments became in default and went unpaid; that on the 2nd day of April, 1940, said defendants paid on said note and debt the sum of $50.02, the same being insufficient, however,to satisfy the installment payments, on said note and debt, then long over due; that no further payments were made on the installment payments so that on March 15th. 1941, the plaintiff exercised its right under its said note and mortgage by declaring the entire debt secured by said mortgage, and unpaid, due and collectible; that all over due and unpaid installments of both interest and principal bear interest at the rate of five per centum per annum after maturity until paid.

The Court further finds that the defendants, Edgar Bailey and Lora E. Bailey,his wife, failed and neglected to pay the taxes lawfully assessed against the Real Estate described in the complaint and the same went unpaid and became delinquent, and the plaintiff, in order to protect its security, on the 21st. day of March, 1941, paid said tax in the sum and amount of $160.46; that there is a prior mortgage on the real estate described in the complaint held by The Federal Land Bank of Louisville, of

Louisville, Kentucky, given by defendants, Edgar Bailey and Lora E. Bailey, his wife, to secure a loan and debt, originally in the amount of $5,000.00; that said defendants allowed the installment payments on said loan to go unpaid and become delinquent and the plaintiff, to protect its security, on the 15th. day of March, 1941, paid said over due delinquent installment payments in the amount of $543.84; that in the preparation of this suit it was necessary to secure an extension of the abstract of title originally furnished by the defendants, Edgar Bailey and Lora E. Bailey, his wife, in connection with the loan to them, at an expense of $8.25, which amount was paid by the plaintiff on March 24th. 1941.

The Court further finds for the plaintiff upon its complaint, that the allegations thereof are true, as therein alleged, and that there is due it upon said complaint the following sums and amounts, to-wit:

1. Balance of principal and Interest, principal debt;
2. Delinquent Installment Payments on principal debt, with interest;
3. Delinquent Installment Payments on mortgage in favor of The Federal Land Bank of Louisville, of Louisville, Kentucky, with interest;
4. Sums of money advanced by the plaintiff to pay taxes accrued on the mortgaged premises;
5. Money advanced for continuation of abstract;

Total of said sums and amounts, $4297.51;

That the plaintiff was obliged to employ an attorney to enforce the collection of said note and debt, secured by said mortgage and that the note and mortgage each provides for the payment of a reasonable attorney's fee in case of default in making the installment payments of interest and principal, as provided in said note, and that a reasonable fee for plaintiff's attorney is $100.00.

That said several sums and amounts, found due the plaintiff upon its complaint, are secured by the mortgage sought to be foreclosed in this proceedings, and that the plaintiff is entitled to a judgment against defendahts, Edgar Bailey and Lora E. Bailey, his wife, and against each one of them severally, for a total of said amounts, in, to-wit, the sum of $4397.51, 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 said 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 finds that the defendant, Standard Margarine Co., Inc., has no interest whatever in this suit or in the real estate described in the complaint.

It is, therefore, considered and adjudged by the court that the plaintiff herein, Federal Farm Mortgage Corporation, recover of and from the defendants herein, Edgar Bailey and Lora E. Bailey, his wife, and from each one of them severally, the sum and amount of $4397.51, and the costs of this suit, taxed at $_____, and accruing costs, all without relief from valuation or appraisement laws, said judgment to bear interest at the rate of five per centum per annum from and after the date of the rendition thereof, on, to-wit: June 23rd, 1941;

It is further adjudged by the Court that the defendant, Standard Margarine Co., Inc., has no interest in this suit and that it is not entitled to take anything by reason of having been made a party to this proceeding.

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, Edgar Bailey and Lora E. Bailey,

his wife, and against each one of them severally, 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 of 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 now sold in this State under the Act of the General Assembly of the State of Indiana, 1931, pages 257-260, inclusive, being Sections 3-1801-3-1809, inclusive, 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 judgment and decree of sale until after the 24th. day of May, 1942; 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, or so much thereof as may be necessary, to satisfy the judgment herein, 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 Union Township, Hendricks County, Indiana, the Township of Hendricks County, Indiana, 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, without any right of redemption on the part of either of the defendants herein, Edgar Bailey or Lora E. Bailey, his wife, or of any person claiming from, under or through them or any one of them, and free from all claims of said defendants or either of them, and of all persons claiming by, under, or through them or either 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 June, 1941, to the date of sale at the rate of five per centum 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 said 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 either of the defendants herein, Edgar Bailey or Lora E. Bailey, his wife, 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 accruing costs of this proceedings, judgment and interest, the residue thereof, so remaining unsatisfied, shall be made of the goods and chattels, lands and tenements of the said defendants, Edgar Bailey and Lora E. Bailey, his wife, or out of the goods and chattels, lands and tenements of either of

said defendants subject to execution, and the sale thereof shall be made without reief from valuation or appraisement laws.

It is further ordered by the Court that the issue concerning the appointment of a receiver shall be, and is continued.

All of which is ordered, adjudged and decreed by the Court this 23rd. day of June, A. D. 1941, and further proceedings herein are continued.

VIRGINIA GORHAM)
VS) # 16396
CLOYCE BOYD GORHAM)

The defendant is ruled to answer complaint 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, June 24th, 1941.

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

SOL H. ESAREY)
VS) # 16044
JOHN M. BARNHILL, ET AL.)

Come now the parties, and the Court sustains the defendant's motion for change of venue from Hendricks County, Indiana, and the parties failing to agree, now strike and Morgan County remianing, said cause is now ordered venued to Morgan County, Indiana, and five days are given to perfect said change.

JULIA M. BROWN)
VS) # 16205
J. RAY MONAGHAN, ET AL.)

Comes now the plaintiff and files motion to make amended counter claim more specific, which motion is in the words and figures following, to-wit: (H.I.).

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) # 16397
THE PENNSYLVANIA RAILROAD CO.)

Comes now the defendant, and files motion to make complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

MARTHA MacDOUGALL EMHARDT)
VS) # 16250 Judgt. vs Pltf. for Costs.
PERRY STADIUM, INCORPORATED, ET AL.) J. D. 18, Page 216.

Come now the parties and the Court renders judgment on the verdict of the jury.

It is,therefore, considered and adjudged that the plaintiff take nothing by her suit.

It is further considered and adjudged by the Court that the defendants recover of and from the plaintiff, Martha Mac Dougall Emhardt, it's costs in this behalf paid, laid out and expended at _____dollars and _____cents.

LUCILLE E. DAVIS) Judgt. vs Deft. for $25.00 Alimony, $50.00 Attys. Fees
-VS-) CAUSE NO. 16403 and $15.00 Support.
MORRIS W. DAVIS) DECREE J. D. 18, Page 216.

Comes now the plaintiff in person and by council and it appearing to the satisfaction of the court by the summons and sheriff's return endorsed thereon which are as follows, to-wit: (H.I.) that the defendant has been duly served with process for more than 10 days before the 24th day of February, 1941, the day fixed by plaintiff, and endorsed on her complaint, for the defendant to appear and answer said complaint. And comes now James E. Babcock, attorney for the defendant, Morris W. Davis and moves the court to with-draw his appearance for said defendant, and said motion is sustained and the said James E. Babcock's appearance is withdrawn and said defendant Morris W. Davis

is three (3) times audibly called in open court and comes not which herein wholly makes default.

And comes George W. Hadley, prosecuting attorney for the 55th Judicial Circuit and enters his appearance for the defendant, Morris W. Davis and files his answer in general denial (H.I.).

And this cause being at issue upon the plaintiff's complaint and the default of the defendant and answer by the Prosecuting Attorney is now submitted to the court without the intervention of a jury; and the court having heard the evidence and being duly advised in the premises, finds for the plaintiff that the allegations of plaintiff's complaint being true and that she is entitled to a decree of divorce from the defendant on the grounds thereon alleged. The court further finds that the plaintiff is a suitable and proper person to have the care, custody, education and control of the children of said plaintiff and defendant, to-wit: Nancy Jacqueline Davis, born February 8, 1936; Sally Ann Davis, born July 16, 1937; Jackie Kempter Davis, born May 2, 1941, and that plaintiff is entitled to an alimony and to an allowance for the maintenance, support and education of said children and to an order for fees for her attorneys and the cost of this action laid out and expended.

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 disclosed and the plaintiff is hereby granted a divorce from the defendant.

It is further considered and adjudged by the court that the plaintiff have and recover of and from the defendant the sum of Twenty Five ($25.00) Dollars alimony.

It is further considered and ordered by the court that the plaintiff have the care, custody and control of the following named children, to-wit:- Nancy Jacqueline Davis, born February 8, 1936; Sally Ann Davis, born July 16, 1937; Jackie Kempter Davis, born May 2, 1941, until the further order of this court; it is further ordered that defendant Morris W. Davis pay into this court, to the clerk thereof, on Saturday, June 28th, 1941, and each and every Saturday thereafter the sum of Fifteen ($15.00) Dollars per week for the support, maintenance and education of said children, said sums to be paid by the Clerk to the plaintiff Herein, Lucille E. Davis whose address is 2311 N. New Jersey St., Indianapolis, Marion County, Indiana.

It is further considered and adjudged by the court that the defendant pay to the Clerk of this court the sum of Fifty ($50.00) Dollars as fees for plaintiff's attorney and that said payment be made on or before the 1st day of September, 1941. Said sum as attorneys fees to be paid by the Clerk to plaintiff's attorneys herein or either of them.

It is further ordered by the court that the defendant shall be permitted to visit with the above named children on the 1st and 3rd Sundays of each month from 2:00 o'clock P. M. until 6:00 o'clock P. M. and that he may, under reasonable condition, take the children during such times to his home or other proper places for his visit with them duringsaid hours.

All of which is finally ordered, adjudged and decreed by the court this 24th day of June, 1941.

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

Record read and signed in open court.

Horace R. Hanna, Judge.

Wednesday Morning, June 25th, 1941.

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

HORTON OIL COMPANY)
VS) # 16099
ROBERT GRIST) E N T R Y
INTERNATIONAL HARVESTER CO.,)
INCORPORATED)

Comes now the plaintiff, and filed verified proceedings supplemental to execution against said Robert Grist, defendant debtor, and third party International Harvester Co. Incorporated, together with Interrogatories Numbered 1-5, inclusive, which petition and Interrogatories are of the following words and figures, to wit, (H.I.)

The court having read said petition and being duly advised in the premises, now orders notice issued to the Sheriff of Marion County, to be served on all of said defendants, commanding them to appear in the Hendricks Circuit Court at 1 P.M. Central Daylight Time June 30th, 1941, to appear and answer to said proceedings.

M. M. KRINGER)
VS) # 14338
LINCOLN PROTECTIVE CORP.)

Comes now the Receiver, by John D. Taylor, Administrator of the Estate of John C. Taylor, deceased, and files his financial report herein, which report is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said report and being sufficiently advised in its premises, now approves the same, and said administrator of the estate of John C. Taylor, deceased, is ordered to pay to the Clerk of this Court the balance of $30.40 shown in said report, being the amount left in this trust, and said sum as paid in to be paid by said Clerk to the party or parties entitled to receive the same, upon further order of this Court.

Receiver is discharged from his bond and trust, and this cause is now adjudged finally disposed of, said receiver having fully accounted for all sums coming into his hands as such receiver.

HARVEY J. LANDER)
VS) # 14339
GREAT WESTERN PROTECTIVE CORP.)

Comes now the receiver, by John D. Taylor, Administrator of the Estate of John C. Taylor, deceased, and files his final financial report herein, which report is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said report and being sufficiently advised in its premises, now approves the same, and said receiver having fully accounted for all funds coming into his hands as such receiver, said receiver is now discharged from his bond and trust, and this cause is now adjudged finally disposed of, said receiver having fully accounted for all sums coming into his hands, as such receiver.

R. E. BUSART)
VS) # 14340
BANKERS & MERCHANTS)
PROTECTIVE CORP.)

Comes now the receiver, by John D. Taylor, Administrator of the Estate of John C. Taylor, deceased, and files his final financial report herein, which report is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said report and being sufficiently advised in its premises, now approves the same, and said administrator of John C. Taylor, deceased, is ordered to pay to the Clerk of this Court, the balance, $63.78, shown in said report, and being the amount left in said trust, and said sum so paid in to be paid by said Clerk to the party or parties entitled to receive the same upon further order of this Court.

Receiver is discharged from his bond and trust, and this cause is now adjudged finally disposed of.

STELLA M. TAFLINGER AND)
E. A. WHITE)
VS) # 16394
MANERVA MARCHAL)

Comes now the defendant and files answer to complaint herein, which answer is in the following words and figures, to-wit: (H.I.).

OLIVER FARM EQUIPMENT SALES CO.)
VS) # 16316
ELSWORTH STUART, d/b/a)
HOOSIER GARAGE)

Comes now the defendant, and files affidavit and motion for change of venue from Hendricks County, Indiana, which affidavit is in the following words and figures to-wit: (H.I.).

ROBERT L. BOWEN SUPERINTENDENT)
OF INSURANCE OF OHIO)
VS) # 15062 Judgt. vs Pltf. for Costs.
IRA E. FISHER, ET AL.) J. D. 18, Page 217.

This cause having been duly reached on the calender in its regular order, and being duly called for trial, is by the Court 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, and the plaintiff, Robert L. Bowen Superintendent of Insurance of Ohio, is ordered to pay the costs of this action, taxed at _____dollars and _____ cents.

CLIFTON HENRY)
VS) # 15094
ALMA BENDER AND)
BANKERS TRUST COMPANY)

The Court now overrules defendants' motion to make complaint more specific, to which ruling of the Court the defendant objects and excepts.

The defendant is now ruled to answer complaint on or before July 5th, 1941.

The plaintiff is ruled to answer defendant's interrogatories numbered one to five, both inclusive, on or before July 5th, 1941.

JAMES W. SKINNER)
VS) # 15082 Judgt. vs Pltf. for Costs.
LAWRENCE A. SHAW) J. D. 18, Page 217.

This cause having been placed on pre trial calender and all parties notified, and it being reported to the Court that said cause has long since been compromised and settled, and the parties hereto not taking any steps to dispose of this case so that the same may be disposed of by notion of either of them, the Court of it's own motion now dismisses this cause 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, James W. Skinner, 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, June 26th, 1941.

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

JOHN R. SOMMERS)
VS) # 16384
LAFE MURPHY)

Comes now the defendant, and files motion to make complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

GRACE EDITH CROUCHER)
VS) # 16125
HARRY DIXON, ET AL., ETC.)

Come now the parties, and the Court being duly advised, now overrules defendants' motion for new trial in this cause, to which ruling of the Court the defendants separately and severally object and except.

STATE OF INDIANA)
VS) # 8158
EMMA ADAMS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant by Siegel and Kendall, her attorneys, and file motion to quash count one of indictment herein, which motion is in the following words and figures, to-wit: (H.I.).

Come now the parties, and oral argument is had on said motion to quash.

STATE OF INDIANA)
VS) # 8157
JACK ADAMS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant by Siegel and Kendall, his attorneys, and defendant now asks that his plea herein be withdrawn and that he be permitted to file motion to quash indictment.

The Court being sufficiently advised, now grants said request, and the defendant files motion to quash indictment herein, which motion is in the following words and figures, to-wit: (H.I.).

Come now the parties, and oral argument is had on said motion to quash.

STATE OF INDIANA)
VS) # 8156
JACK ADAMS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant by Siegel and Kendall, his attorneys, and the defendant now asks that his plea herein withdrawn for the purpose only that he be permitted to file motion to quash count one of said indictment.

The Court being sufficiently advised, now grants said request.

Comes now the defendant and files motion to quash count one of the indictment herein, which motion is in the words and figures following, to-wit: (H.I.).

Come now the parties, and oral argument is had on said motion to quash.

WILLIAM O. KING)
VS) # 15512
ALLENE STIDHAM, ET AL.)

Comes now the plaintiff in person and by his attorney, Otis E. Gulley, and this cause having heretofore been set for trial in the March Term, 1941, of this Court, and same having been continued at that time, and said cause having then been set for trial on June 26th, 1941, and having been duly reached in its regular order, and the defendants failing to appear either in person or by her attorney, on motion of plaintiff are now three times loudly called in open court and comes not and each 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.

Evidence is heard in part, and this cause is continued for the taking of additional evidence.

JOHN T. HUME, ADMR., ETC.)
VS) # 15437 Judgt. vs Pltf. for Costs.
NETTIE OGDEN) J. D. 18, Page 217.

Comes now the plaintiff, and moves the Court to dismiss this cause at the cost of the plaintiff.

The Court being sufficiently 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, John T. Hume, Administrator of the Estate of George Runion, deceased, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

H. W. LENOX)
VS) # 15526 DECREE Judgt. vs Deft. for $740.00 and Costs.
EDWARD MYERS) J. D. 18, Page 218.

Comes now the plaintiff by his attorney, A. J. Kahl and comes also the defendant by his attorney, Zimri E. Dougan and the defendant now files answer admitting the execution of the note in suit together with the correctness of the credits as they now appear upon the back of said note. And this cause being at issue is now 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 his complaint are true and that there is due the plaintiff from the defendant, Edward Myers, on the note sued on, the sum of Six Hundred Seventy Five ($675.00) Dollars as principal and interest and the further sum of Sixty Five ($65.00) Dollars as fees for plaintiff's attorney.

It is therefore, considered, ordered and adjudged by the court that the plaintiff, H. W. Lenox have and recover of and from the defendant Edward Myers the sum of Seven Hundred Forty ($740.00) Dollars together with his costs in this action laid out and expended and taxed at $_____.

Th

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

Friday Morning, June 27th, 1941.

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

DOROTHY ARNOLD)
VS) # 16363
MARSHALL ARNOLD)

Comes now the plaintiff, and files verified petition for attorney fees and costs, which petition is in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said petition, now fixes date of hearing said petition July 5th, 1941, and the Court orders notice issued, returnable July 5th, 1941, at 9:00 o'clock A. M.

STATE OF INDIANA)
VS) # 8161
MABEL HYSKELL)

Comes now the State of Indiana, by George W. Hadley, prosecuting attorny and comes also the defendant and shows to the Court that said defendant has served seven days in jail because of fine in above cause, and said defendant now pays the costs in this action and the Court now suspends the fine in this cause and orders said defendant released and discharged.

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

Comes now the defendant, Roy Clark, and files demurrer to plaintiff's complaint, which demurrer is in the following words and figures, to-wit: (H.I.).

FRIEDA G. PATTON)
VS) # 16377
ARLAND A. PATTON)

Come now the parties, and hearing and oral argument is had on petition to show cause. Hearing is continued, and the Court fixes the date of the trial of this cause July 5th, 1941, at 9:00 o'clock A. M.

WILLIAM A. ENGLES)
VS) # 15928
WILEY DORSETT)

Comes now the defendant, and files answer in general denial, which answer is in the words and figures following, 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: Charles G. Miles, Albe Marley, Kenneth Gray, Clarence Crews, Joseph M. Miller, Cleo Lambert, Everett McCollum, Walter Barlow, Ola Hubbard, Louise Durham, Neal Cooprider and William Littell, twelve good and lawful men and women, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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 duty during separation, until Tuesday, July 1st, 1941, 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 L. Hanna, Judge.

Saturday Morning, June 28th, 1941.

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

CLIFTON HENRY)
VS) # 15094
ALMA BENDER AND)
BANKERS TRUST COMPANY)

Comes now the defendant, and asks that rule to answer be extended to July 20th, 1941.

The Courg being duly advised, now grants said request, and the defendant is ruled to answer on or before July 20th, 1941.

DUDLEY T. GOSS, BY HIS NEXT)
FRIEND, RALPH D. GOSS)
VS) # 14922
V. PROCACCIO CARTAGE CO., ET AL.)

Comes now Ernest R. Stewart, and files withdrawal of his appearance herein for the defendants, in the words and figures following, to-wit: (H.I.).

The Court being duly advised after examining same, now grants said request and Ernest R. Stewart's appearance is withdrawn.

ROBERT BELL)
VS) # 15362 Judgt. vs Pltf. for Costs.
NETTIE S. AND SHELBY GIBSON) J. D. 18, Page 218.

Comes now the plaintiff, and files motion to dismiss this caust at the plaintiff's cost, 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 premises, now sustains the same, 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, Robert Bell, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

THOMAS NUGENT) Judgt. vs Deft., Esther Tongret, for $282.15 & Costs. J.D.18 -
VS) CAUSE NO. 15811 JUDGMENT ON SPECIAL FINDING OF Page. 218.
ESTHER TONGRET, ET AL.) FACTS AND CONCLUSIONS OF LAW.

Come now the parties, by counsel, and the Court having heretofore filed in this Cause its special finding of facts, and stated its conclusions of law thereon, and the same having been heretofore duly entered of record, the Court now renders judgment thereon accordingly.

It is, therefore, considered and adjudged, by the Court, that the plaintiff have and recover of and from the defendant, Esther Tongret, the said sum of $282.15, together with costs of this action, and all accruing costs, without relief from valuation or appraisement.

Dec 11, 1942 Sheriff to levy upon the amount of judgment and interest in favor of Thomas Nugent as directed by the Court

It is further considered, adjudged and decreed, that plaintiff's mortgage be foreclosed as against all parties to this suit and that said real estate be sold to satisfy said judgment.

And it is further considered and adjudged, by the Court, that the equity of redemption of the defendant herein and each of them and all persons claiming from, under or through them, in and to said mortgaged premises, to-wit:-

The South half (½) of Lot Number 9 in William Young's Subdivision of Out Lot 181, in the City of Indianapolis, Marion County, Indiana,

be and the same is hereby forever barred and foreclosed, and that said real estate and all the right, title, interest and claim of the defendants, Esther Tongret, Cecil M. Ross and Jean L. Ross, and of all persons claiming from, under or through them in and to the same, or so much as may be necessary for that purpose, shall be sold by the Sheriff of the County of Marion in the State of Indiana, as lands are sold on execution, such sale to be made without any relief from valuation or appraisement laws; and the proceeds arising from said 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 cost of said sale. Second. To the payment of the amount found due plaintiff herein, being the amount of the judgment hereinbefore rendered, together with interest from this date. The overplus, if any, remaining after payment of the foregoing judgment, interest and costs, to be paid to the Clerk of the Court for the use of the parties lawfully authorized to receive the same; and in the event 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 defendant, Esther Tongret, subject to execution, and the 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 decree, under the hand of the Clerk and Seal of this Court, shall be sufficient authority to the Sheriff to execute the same.

It is further adjudged and decreed, by the Court, that defendants, Cecil M. Ross and Jean L. Ross, take nothing by their cross-complaint herein.

It is further considered, adjudged and decreed by the Court, that the defendant and cross-complainant, Esther Tongret, is the owner in fee simple of the real estate described in the complaint, to-wit:-

The South half (½) of Lot Number 9 in William Young's Subdivision of Out Lot 181, in the City of Indianapolis, Marion County, Indiana,

subject, however, to the mortgage lien of the plaintiff herein and the foreclosure and order of sale of same.

It is further adjudged and decreed that defendants, Cecil M. Ross and Jean L. Ross have no right, title or interest in said real estate adverse to defendant, Esther Tongret, and that said defendants', Ross and Ross', claim thereto is without right and unfounded and Esther Tongret's title thereto be and the same is hereby quieted as against the claim of defendants, Ross and Ross.

It is further considered and adjudged that the defendant and cross-complainant, Esther Tongret, recover of the defendants, Ross and Ross, her costs and charges in this cause laid out and expended.

Dated this 28th day of June, 1941.

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 30th, 1941.

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

WESLEY HILLERY LEVELL, ET AL.)
VS) # 16243
DRUSILLA DODSON, ET AL.)

Come now the plaintiffs and file affidavit and motion for change of venue from Hendricks County, Indiana, which affidavit is in the following words and figures, to-wit: (H.I.).

DOROTHY ARNOLD)
VS) # 16363
MARSHALL ARNOLD) ENTRY

The plaintiff by her attorney John A. Kendall having filed motion for notice to be issued to said defendant, giving the date and hour of the hearing of said plaintiff's petition for support, which notice is of the following words and figures, to-wit: (H.I.).

The court having read said petition and being duly advised now sets the same for hearing Saturday morning July 5th, 1941, at 9:00 o'clock A. M. And the Clerk of the Hendricks Circuit Court is hereby notified to notify said defendant that said petition will be heard on said date.

SAMUEL SANDERS, ET AL.)
VS) # 15748
HANNAH EVERSON, ET AL.)

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

JESS HUNTER)
VS) # 16130 Judgt. vs Pltf. for Costs.
JOSEPH A. CAMPBELL, ET AL.) J. D. 18, Page 218.

Comes now the plaintiff, 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.).

The Court having seen and examined said motion and being sufficiently advised in its premises, 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, Jess Hunter, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

MARY ELLEN BORDERS)
VS)#16381
LEON BAYLISS)
HAZEL BAYLISS)

Come now the defendants, and ask that time for answering complaint herein be extended to July 15th, 1941.

The Court being duly advised, now grants said request, and the defendants are ruled to answer herein July 15th, 1941.

LILLIAN B. JACKSON) Judgt. vs Deft. for $25.00 Alimony, $50.00 Attys.
VS) # 16326 Fees.
MILTIE O. JACKSON) DIVORCE DECREE J. D. 18, Page 219.

Comes now the plaintiff in person and by counsel and it appearing to the satisfaction of the court by summons and sheriff's return thereon, which are as follows, to-wit: 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. Said defendant is three times loudly called in open court, but comes not and herein wholly makes default. Comes now George W. Hadley, Prosecuting Attorney for the 55th Judicial Circuit of the State of Indiana, and enters his appearance for said defendant, whereupon said cause is submitted to the court for hearing, trial and 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: That she is entitled to have her grounds alleged in her complaint: That she is entitled to have her maiden name of Lillian B. Dean restored to her; that she is entitled to $25.00 alimony and that the defendant is to pay to her attorneys, Ira Holmes and John Kendall the sum of $50.00, attorney fees, on or before September 1, 1941; That the said defendant Miltie O. Jackson is not in military service of the United States.

It is, therefore, considered and adjudged by the court that the bonds of matrimony existing between the plaintiff and defendant be dissolved and the plaintiff be granted an absolute divorce.

That the maiden name of said plaintiff, Lillian B. Dean be restored to said plaintiff. That the plaintiff recover of the defendant the sum of $25.00 alimony and the sum of $50.00 attorney fees, to be paid to said plaintiff attorneys, Ira Homes and John A. Kendall, on or before September 1st, 1941.

STATE OF INDIANA)
VS) # 8165 Judgt. vs Deft. for Costs.
JOSEPH DUNCAN) J. D. 18, Page 219.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Joseph Duncan, in his own proper person, and said defendant is duly arraigned in open Court and pleds guilty of malicious trespass.

It is, therefore, considered and adjudged by the Court that said defendant, Joseph Duncan, shall be and he is sentenced to the Indiana Penal Farm for sixty days and shall pay the costs of this action, taxed at _____dollars and _____cents, said sentence to be served concurrently with causes 8163 and 8164.

STATE OF INDIANA)
VS) # 8163 Judgt. vs Deft. for Costs.
JOSEPH DUNCAN) J. D. 18, Page 219.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Joseph Duncan, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty of assault and battery.

It is, therefore, adjudged by the Court that said defendant, Joseph Duncan, for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for sixty days, and that he pay the costs of this action, taxed at _____ dollars and _____cents, said sentence to be served concurrently with causes 8164 and 8165.

STATE OF INDIANA)
VS) # 8164 Judgt. vs Deft. for Costs.
JOSEPH DUNCAN) J. D. 18, Page 219.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Joseph Duncan, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty of assault and batter.

It is, therefore, adjudged by the Court that said defendant, Joseph Duncan, for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for sixty days, and shall pay the costs of this action, taxed at _____ dollars and _____cents, said sentence to be served concurrently with causes 8163 and 8165.

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

Horace R. Hanna, Judge.

Tuesday Morning, July 1st, 1941.

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

HARLAN P. WOOD)
VS) # 16186
E. HOWARD CADLE, ET AL.)

Comes now the plaintiff and files reply to defendants' special answer pleading statute of limitations, which reply is in the words and figures following, to-wit: (H.I.).

Edgar A. Rice
Edgar A. Rice, Special Judge.

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250
PERRY STADIUM, INCORPORATED, ET AL.)

Comes now the plaintiff, and files motion for new trial, which motion is in the following words and figures, to-wit: (H.I.).

WILLIAM A. ENGLES)
VS) # 15928
WILEY DORSETT)

Come now the parties, in person and by counsel, and the jury is again brought into court, and evidence is continued and completed.

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., July 2nd, 1941.

FAYE ELMORE)
VS) # 16414
GLENDON ELMORE)

Comes now the plaintiff and files verified petition for support pending litigation and for suit money and attorney fees, which petition is in the words and figures following, to-wit: (H.I.).

LORNA M. SPECK)
VS) # 15868 Judgt. vs Pltf. for Costs.
CLARENCE D. SPECK) J. D. 18, Page 220.

Comes now the plaintiff, and moves the Court to dismiss this cause at the cost of the plaintiff.

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, Lorna M. Speck, is ordered to 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, July 2nd, 1941.

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

SOL H. ESAREY)
VS) # 16044 On Account of Change of Venue.
JOHN M. BARNHILL, 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: Nineteen Dollars and Fifty Cents ($9.50) in the case of Sol H. Esarey vs. John M. Barnhill, 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 sufficient voucher, and authority for so doing.

July 2nd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

ROY SHORT)
VS) # 16100 On Account of Change of Venue.
COMMERCIAL CREDIT 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. Fifteen Dollars and - - - Cents ($15.00) in the case of Roy Short vs. Commercial Credit 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 sufficient voucher, and authority for so doing.

July 2nd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

JESS HUNTER)
VS) # 16130 On Account of Change of Venue.
JOSEPH A. CAMPBELL, 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. Six Dollars and - - - Cents ($6.00) in the case of Jess Hunter vs. Joseph A. Campbell, 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 2nd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

JAMES W. SKINNER)
VS) # 15082 On Account of Change of Venue.
LAWRENCE A. SHAW)

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. Six Dollars and - - - Cents ($6.00) in the case of James W. Skinner vs. Lawrence A. Shaw 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 2nd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

GENEVIEVE LYDAY)
VS) # 16040 On Account of Change of Venue.
JOHN M. CONATON, 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. Six Dollars and - - - Cents ($6.00) in the case of Genevieve Lyday vs. John M. Conaton, 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 2nd, 1941. Horace L. Hanna,
Judge 55th Judicial Circuit of Indiana.

HELEN G. VEDETTE)
VS) # 16400
ALVA LUTHER VEDETTE)

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: Six Dollars - - - Cents ($6.00) in the case of Helen G. Vedette vs. Alva Luther Vedette 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 2nd, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

LUCILLE E. DAVIS)
VS) # 16403 On Account of Change of Venue.
MORRIS W. DAVIS)

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. Eleven Dollars and - - Cents ($11.00) in the case of Lucille E. Davis vs. Morris W. Davis 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 sufficient voucher, and authority for so doing.

July 2nd, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

JENNIE SMITH)
VS) # 16261 On Account of Change of Venue.
BELT RAILROAD CO. OF)
INDIANAPOLIS 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. One Hundred Twenty-Nine Dollars and Sixty Cents ($129.60) in the case of Jennie Smith vs. Belt Railroad Co. of Indianapolis 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 sufficient voucher, and authority for so doing.

July 2nd, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

VIRGINIA GORHAM)
VS) # 16396 E N T R Y
CLOYCE BOYD GORHAM)

Comes now Plaintiff and files motion for hearing on her petition heretofore filed in this said cause for attorney fees and court cost, which motion is of the following words and figures, to-wit: (H.I.)

The court having read said petition for support and the motion for hearing, how finds that said hearing should be held, and the same is hereby set for Saturday July 5th 1941 at 1 o'clock P. M. in the court house at Danville, Indiana, and the clerk of this court is hereby directed to notify said defendant of the time and place of hearing, to be served by the sheriff of Hendricks County.

SMYTHIE BUTLER) Judgt. vs Defts. for $10.00.
VS) # 16399 Judgt.vs Pltf. for Costs.
CORNELL MITCHELL) JUDGMENT J. D. 18, Page 220.
NELLIE MITCHELL HIS WIFE)

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 have each been served with process more than ten days before the 24th day of June, 1941, being the date indorsed on plaintiff's complaint for the return-day of summons thereon, which said summons and the return of the sheriff thereon are in the words and figures as follows, to-wit: (H.I.)

And now on motion of plaintiff said defendants and each of them are three times loudly called in open court, and come not, but herein wholly make default.

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 plaintiff is entitled to the immediate possession of the real

estate described in plaintiff's complaint; the court further finds that defendants unlawfully hold possession of said real estate, and have wrongfully kept plaintiff out of the possession of the same, and that plaintiff has been damaged in the sum of $10.00, and the court assesses the damages to plaintiff by reason of the premises at the sum of $10.00.

It is therefore considered, adjudged, and decreed by the court that plaintiff recover of and from defendants the possession of the following described real estate, lying and being in Hendricks County, State of Indiana, to-wit:

A part of the West half of the Northeast quarter of Section 23, Township 15 North of Range 2 West, bounded and described as follows: Beginning 10 feet South of the Southeast corner of Lot No. 19 in the Town of Hadley; thence run West 17 rods to the middle of a public highway; thence run South 10 rods and 9½ feet; thence run East 20 rods; thence run North 5 rods and 3 feet; thence run West 3 rods; thence run North 5 rods and 6½ feet to the place of beginning, estimated to contain 1.22 acres more or less,

It is further considered and adjudged by the court that plaintiff recover of the defendants damages in the amount of $10.00.

It is further considered and adjudged that plaintiff pay the costs of this action taxed at _____ dollars and _____ cents, all of which is finally ordered, adjudged, and decreed.

WILLIAM A. ENGLES)
VS) # 15928
WILEY DORSETT)

Come now the parties, in person and by counsel, and at the close of the evidence, the plaintiff does not tender any instructions to be given to the jury, and the defendant does not tender any instructions to be given to the jury. The Court now tenders to the plaintiff and to the defendant the instructions to be given by the Court of its own motion, said instructions being numbered one to nineteen, both inclusive.

Comes now the plaintiff and also comes the defendant, at the close of the evidence, and before the beginning of argument, and after all instructions had been submitted to them and each of said parties having reasonable opportunity to examine said instructions that would be given by the Court, and neither the plaintiff nor the defendant objects or excepts to any instruction or instructions numbered one to nineteen, this cause is now presented to the jury in oral argument.

The Court instructs the jury by giving to the jury of its own motion instructions numbered one to nineteen, both inclusive.

All instructions are now ordered filed, and filed, and ordered made, and made a part of the record in this cause without a bill of exceptions.

The jury now retires to deliberate upon its verdict.

And now the jury returnes into open court its verdict in the following words and figures, to-wit:

STATE OF INDIANA, HENDRICKS CIRCUIT COURT,
HENDRICKS COUNTY, SS: MAY TERM, 1941.
WILLIAM A. ENGLES) No. 15928.
vs.)
WILEY DORSETT) VERDICT.

We, the Jury, find for the plaintiff and assess his damages in the sum of $375.00.

Ola Hubbard
Foremand of the Jury

which verdict is now received by the Court and filed.

Jury is now discharged from further duties in this cause.

UNION FEDERAL SAVINGS)
AND LOAN ASSN.)
VS) # 16415
ALICE B. SMITH)
DAVID F. SMITH)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H:I.).

FRED A. BECK, AS RECEIVER)
OF REMEDIAL FINANCE)
VS) # 16416
HUBERT H. WOODSMALL, ET AL.)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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

Horace E. Hanna, Judge.

Thursday Morning, July 3rd, 1941.

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

BERNICE CUMBERWORTH)
VS) # 15968
ANNA TOWNSEND)

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

The Court being sufficiently advised, now sustains said motion, and this cause be and the same is hereby dismissed, costs paid.

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

ALBERT E. UHL, EXECUTOR OF THE)
ESTATE OF LETHA R. HUBINGER,)
DECEASED)
VS) # 16324
THE HOME INSURANCE CO. OF NEW YORK.)

Comes now Marshall D. Abrams, Judge of the Putnam Circuit Court, heretofore appointed Special Judge to try this cause, and accepts said appointment as Special Judge herein and qualifies and assumes jurisdiction of said cause.

Marshall D. Abrams
Marshall D. Abrams, Special Judge.

ED HESTER)
VS) # 16312
THOMAS TROKE)

Comes now the plaintiff, and moves the Court for a rule requiring the defendant to answer complaint herein on or before September 1st, 1941.

The Court being sufficiently advised, now sustains said motion, and the defendant is ruled to answer complaint herein on or before September 1st, 1941.

WILLIAM A. ENGLES, JR., BY HIS)
NEXT FRIEND WILLIAM A. ENGLES, SR.)
VS) # 16342
WILEY DORSETT)

Comes now the plaintiff, and moves the Court for a rule requiring the defendant to answer complaint herein.

The Court being duly advised, now sustains said motion, and the defendant is ruled to answer complaint herein on or before September 1st, 1941.

PEOPLES LOAN & TRUST CO., ET AL., ETC.)
VS) # 16411
JOHN O. SPAHR.)

Comes now the plaintiff, and moves the Court for a rule requiring the defendant to answer complaint herein.

The Court being sufficiently advised, now sustains said motion, and the defendant is ruled to answer complaint herein on or before September 1st, 1941.

GULF REFINING CO.)
VS) # 15218 Judgt. vs Pltf. for Costs.
EARL PEFLEY AND) J. D. 18, Page 220.
LEROY MILES)

Now this cause having been duly reached on the calender 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, and the plaintiff, Gulf Refining Company, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

HOMER SELCH)
VS) # 15499 Judgt. vs Pltf. for Costs.
SAM PICKERELL) J. D. 18, Page 220.

Comes now the defendant, and this cause having been reached on the trial calender of this court in its regular order, and the plaintiff failing to appear, on motion of the defendant this cause is now dismissed for want of prosecution of the plaintiff 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, Homer Selch, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

ARTHUR E. WOODS)
VS) # 15463 Judgt. vs Pltf. for Costs.
PAUL LITTLE) J. D. 18, Page 221.

Comes now the defendant, and this cause coming on for trial in its regular order on trial calender, and the plaintiff failing to appear in person or by attorney, this cause on motion of defendant is now 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, and the plaintiff, Arthur E. Woods, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

GRACE A. LAHR, d/b/a) Judgt. vs Deft., George Mayhew, for $23.00 & Costs.
A-1 BUILDING AND SUPPLY COMPANY.) Judgt. vs Deft., Oscar W. Baker, for $48.00.
VS) # 16154 J. D. 18, Page 221.
GEORGE MAYHEW,)
OSCAR W. BAKER,)
FRANK MULHOLLAND,)
HOME OWNERS LOAN CORPORATION)

Comes now the parties by counsel and this cause being at issue and submitted to the court for trial without the intervention of a jury, and the court having heard evidence and the argument of counsel and being duly advised in the premises finds for plaintiff and that the allegations of the plaintiff's complaint are true.

And the court further finds due plaintiff from the defendants George Mayhew and Oscar W. Baker on the claim sued upon herein, the sum of $23.00 and the further sum of $25.00 attorney fee for plaintiff's attorney, which sum the plaintiff is entitled to recover of and from the defendant Oscar W. Baker together with costsof this action, all without relief from valuation and appraisement laws. The court further finds that there is due from the defendant George Mayhew the sum of $48.00 together with costs of this action, all without relief from valuation and appraisement laws.

The court further finds that on the 20th day of April, 1939, and within sixty days after the furnishing of the material mentioned in plaintiff's complaint, plaintiff filed in the office of the Recorder of Marion County, State of Indiana, a notice of her intention to hold a mechanic's lien on the real estate mentioned and described in plaintiff's complaint, said notice was on said date duly recorded in the office of said Recorder, and the court further finds that plaintiff has and holds a lien on said premises for the amount of her said claim and that she is entitled to have her lien enforced against said premises.

The court further finds that the lot number described in plaintiff's complaint, towit: Lot #16, is erroneous and that the true number of said lot was #14, but that the street number described in said petition was correct and that plaintiff furnished materials for the property known as house number 2844 Brookside Avenue, Indianapolis, Indiana, which said lot was Lot 14 in Blue's Subdivision of Fletcher's First Brookside Addition to the City of Indianapolis, Indiana, and that said description in said mechanic's lien is hereby corrected to read as follows:-

Lot 14 in Blue's Subdivision of Fletcher's First Brookside Addition to the City of Indianapolis, Indiana.

The court further finds that the mortgage of the Home Owners Loan Corporation was a subsisting lien on said real estate prior to the date of furnishing of the materials by plaintiff and is superior to the lien of this plaintiff.

IT IS THEREFORE CONSIDERED and ADJUDGED by the court, that plaintiff have and recover fr m the defendant George Mayhew the sum of $23.00 together with costs of this action, and the sum of $23.00 pluss $25.00 attorney fee making a total of $48.00 from the defendant Oscar W. Baker, and that her lien be foreclosed as against all claim and interest of the defendant in and to the following described real estate in Marion County, Indiana, towit:-

Lot 14 in Blue's Subdivision of Fletcher's First Brookside Addition to the City of Indianapolis, Indiana,

and that a copy of the order and decree duly certified by the Clerk of this court, issue to the Sheriff of Marion County, Indiana, directing and commanding him to sell said real estate as upon execution without relief from valuation or appraisement laws, and to apply the proceeds thereof or so much as may be necessary thereof, first to the payment of costs and accruing costs then to the payment of the judgment herein together with interest and that any balance remaining be paid to the defendant.

IT IS FURTHER ORDERED that a certified copy of the judgment be sufficient authority for the Sheriff of Marion County, Indiana, to sell said real estate under the provisions of this decree.

STATE OF INDIANA, ON THE RELATION)
OF LUTHER F. SYMONS, BANK COM-)
MISSIONER OF INDIANA)
VS) # 13635
HUNTER BANK)

Comes now your receiver and files his verified petition to settle the note of Roy Leonard to Kennedy and Hughes in the sum of twenty-five dollars ($25) and to accept settlement of the claims in the Hart estate in the sum of _____dollars, and the court being duly advised in the premises finds that said petition should be granted.

It is therefore ordered, adjudged and decreed that the receiver be and he is hereby authorized to settle the Roy Leonard note for the sum of twenty five dollars and that he be and hereby is authorized to settle the claims against the Hart estate for the sum of Two hundred and fifty dollars, and upon the payment of the said Leonard note to surrender the said note to the debtor and upon the receipt of settlement in the Hart estate that the receiver be and he is hereby authorized to release and satisfy said claims of record in the clerk's office of this court.

JENNIE A. DUKE)
VS) # 16305 Judgt. vs Deft. for $100.00 Alimony, $100.00 Attorney Fees & Costs.
THOMAS A. DUKE) J. D. 18, Page 221.

Come now the parties and the court having heard the evidence in this cause, and the argument of counsel, and having taken said cause under advisement now finds for the plaintiff upon her complaint, and that she is entitled to a divorce from said defendant for reasons alleged in said complaint.

The court further finds that said plaintiff is entitled to have her former married name restored, and that she is entitled to recover of and from the defendant all the personal property on the farm where plaintiff and defendant were living at the time said divorce complaint was filed; that she is also entitled to recover of SAID DEFENDANT alimony in the sum of $1000.00 and attorneys fees in the sum of $100.00.

It is therefore adjudged and decreed by the court that the plaintiff, be, and she is hereby divorced from said defendant and that the married contract and status between plaintiff and defendant is hereby annuled, set aside and held for naught, and plaintiff is hereby granted an absolute divorce from said defendant.

It is further adjudged and decreed by the court that plaintiff is hereby given the absolute right, title and interest in all the personal property, including household goods, live stock, feed farming impliments and all personal property of every kind and character situated on the real estate that was owned by plaintiff and defendant, as tenants by the entirity, at the time the divorce proceedings herein were begun.

It is also adjudged and decreed by the court that plaintiff recover of and from said defendant $1000.00 alimony and $100.00 attorney fees in said cause and that said plaintiff have and resume her former name of Jennie A. Bonner.

It is further ordered, adjudged and decreed by the court that in order for plaintiff to have the full and complete possession and to enjoy the rights of the said personal property that she have possession of the real estate where said property is located and that said defendant be, and he is hereby restrained from occupying said real estate and in any way disturbing or interfering with said plaintiff in the care and

custody of said personal property while located on said real estate.

It is further adjudged and decreed by the court that plaintiff recover of and from said defendant her costs herein taxed at _____dollars and _____ cents, all of which is now fully adjudged and decreed by the court.

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

Record read and signed in open court.

Horace L. Hanna, Judge.

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(N O C O U R T)

Saturday Morning, July 5th, 1941.

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

RAYMOND RUSE)
ARTHUR McGLOTHLIN)
ARTHUR McGLOTHLIN GUARDIAN)
FOR KENNETH McGLOTHLIN)
VS) # 16075
GEORGE E. RUSE)
ELVA RUSE)
HENRY BRUNES)

Comes now the plaintiff and files motion to strike out amended petition and motion of Constant C. Abeele to intervene and for new trial, which motion is in the words and figures following, to-wit: (H.I.).

HENRY J. KIPLINGER)
VS) # 16364 On Account of Change of Venue.
HENRY FRIEDMAN)

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. Eleven Dollars and - - - Cents ($11.00) in the case of Henry J. Kiplinger vs. Henry Friedman is now audited and allowed as a just and proper claim in favor of said County of Hendricks and againstthe 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 sufficient voucher, and authority for so doing.

July 5th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

GRACE A. LARH, DOING BUSINESS)
AS A-1-BUILDING & SUPPLY CO.)
VS) # 16154 On Account of Change of Venue.
GEORGE MAYHEW, 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: Fifteen Dollars and Fifty Cents

($15.50) in the case of Grace A. Larh, d/b/a A-1-Building & Supply Co. vs. George Mayhew, et al. is now audited and allowed as a just and proper claim in favor of said Countyof 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 sufficient voucher, and authority for so doing.

July 5th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

GENERAL COURT ALLOWANCES FOR MAY TERM, 1941.

Lillian Priest, Court Reporter	$240.00
Walter E. Hadley, Clerk, Per Diem for Attending Court, Addmittance for Patients to State Institutions, Change of Venue Claims, Box Rent and Stamps	239.25
Ernest Bell, Bailiff	134.00
Thad Ryner, Jury Commissioner	3.00
Harry G. Thomson, Jury Commissioner	3.00
Hendricks County Republican	35.00
Sarah A. Stuart, Attendant to Madison State Hospital	3.00
Baker Funeral Home	5.00
John Buckingham	4.00
John A. Kendall, Pauper Attorney	10.00
William B. Burford Printing Company	10.75
The Bobbs Merrill Co.	15.00
Bancroft Whitney Co.	5.00
West Publishing Co.	30.00
PETIT JURY:	
Charles G. Miles	24.30
Jessie Meeks	29.70
Albe Marley	42.00
Frankie Brewer	10.50
Kenneth Gray	42.00
Albert Buffo	12.80
Neal Cooprider	50.40
Clarence Crews	45.60
Joseph M. Miller	61.60
Carl McCloud	35.00
Earl Cox	3.50
Ola Hubbard	40.60
Claude Jordan	4.50
Cleo Lambert	42.00
Byron Elmore	12.00
Marion Roberts	11.70
Clifford Jessup	13.60
William Littell	45.60
John L. Price	13.60
Everett McCollum	29.60
Walter Barlow	28.00

Louise Durham	49.00
John Hennipman	3.70
Herman Humke	14.00
Tressman Parker	23.40
Stillwell Cafe 52 meals @ .50¢	26.00
GRAND JURY:	
Howard Plasters	7.20
Ivan Johnson	7.00
Earl Reed	7.80
Loren Hufford	7.80
Lars Ellis	5.80
Wilbur Lowder	8.60
	$1,495.90

VIRGINIA GORHAM)
VS) # 16396
CLOYCE BOYD GORHAM)

Come now the parties, and agree in open Court that the defendant shall pay the plaintiff's attorney fee of $25.00 on or before September, 1941.

FEDERAL LAND BANK OF)
LOUISVILLE)
VS) # 16347
JOHN W. LAMBERT, ET AL.)

Come now the defendants and plaintiff, and file agreement not to take a change of venue in this cause, which agreement is in the words and figures following, to-wit: (H.I.).

THOMAS NUGENT)
VS) # 15811
STEWART T. TONGRET, ET AL.)

Come now the defendants, Cecil M. Ross and Jean L. Ross, and file motion for new trial in the following words and figures, to-wit: (H.I.).

QUINCY A. DAVIS, ET AL.)
VS) # 14742
BERTHA LOCKHART CHRISTIE)

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

The Court having seen and examined said report and being sufficiently advised in its premises, now approves the same, and the Clerk is ordered to make distribution as prayed for upon receipt of Gross Income Tax Division being filed with report herein.

Said commissioner is discharged from his trust and bond.

WILL HAYDEN)
VS) # 16352
ALMA MARGARET HAYDEN)

Comes now the plaintiff and shows to the Court the notice to non-resident defendant and proof of publication thereof to the defendant herein, which notice and proof of publication thereof is in the following words and figures, to-wit: (H.I.), and the Court examining same, finds that said defendant has been duly notified as provided by law to appear herein June 23rd, 1941, and now on motion of plaintiff, said defendant is three times loudly called but comes not and herein wholly makes default.

On motion of plaintiff, said cause is now 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 plaintiff's complaint are true and that the plaintiff is entitled to an absolute divorce from the defendant, the costs being against the plaintiff, costs paid.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony existing between the plaintiff, Will Hayden and Alma Margaret Hayden, be dissolved and the plaintiff is hereby granted an absolute divorce from said defendant, all at the cost of the plaintiff, said costs being now paid.

WESLEY HILLERY LEVELL, ET AL.)
VS) # 16243
DRUSILLA DODSON, ET AL.)

Come now the parties, and the Court sustains motion for change of venue from Hendricks County, Indiana, and the parties failing to agree now strike the counties adjoining Hendricks County, and Montgomery County remaining, the Court now orders this cause venued to Montgomery County, Indiana, and ten days are given to perfect said change.

HARNEY F. SEMONES, RECEIVER)
VS) # 14807
A. R. SMITH, ET AL.)

Comes now the receiver, and reports to the Court that the above case has been compromised and settled and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

The Court being sufficiently advised, now sustains said motion, now dismisses said cause, costs paid.

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

FRIEDA G. PATTON)
VS) # 16377 Divorce Decree
ARLAND A. PATTON)

Judgt. vs Deft. for $12.00 Every 2 Wks., $400.00 Alimony, $50.00 Atty. Fee. & Costs.
J.D. 18, Page 221.

Comes now the plaintiff in person and by her council and comes the defendant in person and by his council and it appea ing to the satisfaction of the court by the summons and Sheriff's return thereon, which are as follows, to-wit: (H.I.), and 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: Whereupon said cause is submitted to the court for hearing, trial and decree.

The court having heard the evidence and being fully advised in the premises, finds for the plaintiff and that she is entiled 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 Arleda Ann Patton, seven years of age and that she is entitled to have an allowance in the sum of $6.00 per week for the support of said child: That she is entitled to recover of the defendant the sum of $400.00, alimony and that the defendant pay the costs of said action to the Clerk of the Hendricks Circuit Court, in the sum of $35.25, and that the defendant pay to plaintiff's attorney, Lewis E. Marine, Odd Fellows Building, Indianapolis, Indiana, the sum of $50.00, attorney fee.

That all the personal property consisting of household furniture, dishes and kitchen utensils be declared the property of the plaintiff herein.

It is, therefore, considered and adjudged by the court that the bonds of matrimony existing between plaintiff and defendant be dissolved and plaintiff be granted an absolute divorce from said defendant.

That the plaintiff have the care, custody and control of Arleda Ann Patton and that the defendant be and he is hereby ordered to pay to the Clerk of the Hendricks Circuit Court for the maintainance and support of said child the sum of $12.00, every two (2) weeks, the first payment to be made at the Clerk's office of said court on or before July 9th, 1941, and a similar payment each two weeks thereafter.

Said Clerk of the Hendricks Circuit Court is hereby directed to pay this sum of money to this plaintiff.

That the defendant have the privilege of visiting and taking said child on Saturday and Sunday aftermoons every other week from 1:00 to 7:00 o'clock P. M., the first Saturday and Sunday aftermoons which said defendant is to have said privileges being Saturday July 12th and Sunday July 13th in the afternoon thereof, until further order of this court.

That the plaintiff recover of the defendant alimony in the sum of $400.00, the same to be paid to said plaintiff by the defendant within sixty (60) days from date hereof. That all the household furniture, kitchutensils and dishes, automobile be and the same is hereby delcared to be the property of said plaintiff and she is herein declared to be the owner thereof.

That the defendant pay the plaintiff's attorney Lewis E. Marine, Odd Fellows Building, Indianapolis, Indiana, the sum of $50.00, said sum to be paid to said attorney Marine within sixty (60) days from date hereof.

That the defendant pay the costs herein in the sum of $35.25 within sixty (60) days from date hereof.

STATE OF INDIANA, EX REL, LUTHER F. SYMONS,)
BANK COMMISSIONER OF INDIANA)
VS) DECREE
HUNTER BANK)

Comes now the Receiver in the above

entitled cause and file his verified petition for public of certain assetts belonging to his Trust, which petition is in the words and figures as follows, towit: (H.I.) And the court being duly advised in the premises finds that said petition should be granted and that the items named in said petition should be sold at public auction upon a notice given by two publications in the Brownsbug record, a newspaper of general circulation published and printed in the town of Brownsburg, Indiana.

It is further ordered and adjudged that this sale be held by the receiver at the office of H. bart Brady 2nd floor Hunter Block, in the town of Brownsburg, Indiana and that the receiver herein be and he is hereby authorized to offer said assetts as a whole or in parcels depnding on the method in the judgmant of the receiver that will secure the best ibds therefor, and said receiver may after offering said assetts in parcels again offer the same as a whole and to accept the bids or bid resulting most beneficial to his trust, said final bids to be confirmed by the court.

It is further ordered and adjudged that any item herein ordered sold shall be withdrawn from said sale if paid before said sale or a compromise settlement as to said item or items beauthorized by this court.

STATE OF INDIANA)
EX REL LUTHER SYMONS)
VS) DECREE
HUNTER BANK)

Comes now the receiver in the above entitled cause and files his verified petition herein to settle and compromise a certain judgment and notes, which petition is in the words and figures as follows towit: (H.I.).

And the court being duly advised in the premises upon the information furnished by the receiver herein finds that said petition should be granted and the compromises prayed for in said petition authorized.

It is therefore ordered, adjudged and decreed that the receiver in this cause be and he is hereby authorized to accept $25.00 in full payment of the judgment against A. R. Smith in the sum of $528.07 and the following notes on which the said Smith is principal; one note for $464., on which has been paid the sum of $150.00; one note for $275.00, on which has been paid the sum of $166.37; one note of $400.00 on which there is no credit, and this receiver on the payment of said $25.00 is hereby ordered to release said judgment, pay the costs thereon and deliver up the above notes to the principal. And also asks to dismiss cause numbered 14,807 - Semones, Receiver vs A. R. Smith, et al, and pay court costs therein.

Said receiver is hereby further authorized to accept in full payment thereof the following sums on the following notes;

$10.00 on the note of Loren Gentry for $100.00
$10.00 on the note of Bert Freeman for $152.00
$ 7.50 on the note of Walter and Mary Flinn for $185.00
$400.00 for the balance of the principal on notes totaling $2500.00 with credits of $1290.00 signed by A. E. Rosebaum
$20.00 on note for $28.70 with credit of $5.00 signed by Chester Phillips
$150.00 for a note signed by Heny and Maria Long for $100.00 with a credit of $3.39 and one note signed by Henry Long in the sum of $100.00

It is further ordered and adjudged that upon the payment of the above sums by the debtors that this receiver deliver up to the makers the respective notes for which compromise is herein authorized.

Saturday, July 5th, 1941, and the 54th day of the May Term, 1941.

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 September Term, 1941, 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 12th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

QUINCY A. DAVIS, ET AL.)
VS) # 14742
BERTHA LOCKHART CHRISTIE)

Comes now Otis E. Gulley, Attorney for the Commissioner, and files certificate of clearance from the Gross Income Tax Division, which is as follows, to-wit: (H.I.), and distribution of the sum of $18,019.69 is made as follows as heretofore ordered by the Court.

1. $1801.96 the distributive share of Alden Davis, Admr. Q.A. Davis Estate.
2. $1801.96 the distributive share of Loranza Davis.
3. $1801.96 the distributive share of Myrtle Hendricks.
4. $1801.96 the distributive share of Walter Davis.
5. $1801.96 the distributive share of Thomas C. Davis.
6. $ 900.99 the distributive share of Clara Mitchell.
7. $ 900.99 the distributive share of Walter Davidson.
8. $ 900.99 the distributive share of Hershell Davis.
9. $ 900.99 the distributive share of Julian Davis.
10. $ 900.99 the distributive share of Eulalia D. Cook.
11. $ 900.99 the distributive share of Bertha Mitchell.
12. $ 360.40 the distributive share of Dessie Davis.
13. $ 360.40 the distributive share of Vangie Davis.
14. $ 360.40 the distributive share of Harriett Davis.
15. $ 360.40 the distributive share of Jennett Davis.
16. $ 360.40 the distributive share of Adella D. Scassky.
17. $ 600.65 the distributive share of Eva L. Cox.
18. $ 600.65 the distributive share of Ada A. Anton.
19. $ 600.65 the distributive share of Forest Brush.

R E C E I P T S :

1. Sept 11-1941 Rec'd. $1801.96 my distributive share herein. Alden Davis Administrator (Alden Davis, Admr. Q. A. Davis Estate)
2. July 28-1941 Rec'd. $1801.96 my distributive share herein. Loranza Davis By Otis E. Gulley his atty (Loranza Davis)
3. July 23-41 Rec'd. $1801.96 my distributive share herein. Myrtle Hendricks (Myrtle Hendricks)
4. July 28-1941 Rec'd. $1801.96 my distributive share herein. Walter Davis By Otis E. Gulley his atty (Walter Davis)
5. July 25-1941 Rec'd. $1801.96 my distributive share herein. Thomas C. Davis (Thomas C. Davis)
6. July 28-1941 Rec'd. $ 900.99 my distributive share herein. Clara Mitchell By Otis E. Gulley her atty (Clara Mitchell)
7. July 28-1941 Rec'd. $ 900.99 my distributive share herein. Walter Davidson By Otis E. Gulley his atty (Walter Davidson)
8. July 28-1941 Rec'd. $ 900.99 my distributive share herein. Hershell Davis By Otis E. Gulley his atty (Hershell Davis)
9. July 28-1941 Rec'd. $ 900.99 my distributive share herein. Julian Davis By Otis E. Gulley his atty (Julian Davis)
10. July 28-1941 Rec'd. $ 900.99 my distributive share herein. Eulalia D Cook By Otis E. Gulley her atty (Eulalia D. Cook)
11. July 28-1941 Rec'd. $ 900.99 my distributive share herein. Bertha Mitchell By Otis E. Gulley her atty (Bertha Mitchell)
12. July 28-1941 Rec'd. $ 360.40 my distributive share herein. Dessie Davis By Otis E. Gulley her atty (Dessie Davis)

13. July 28-1941 Rec'd. $360.40 my distributive share herein. Vangie Davis By Otis E. Gulley (Vangie Davis) her atty.

14. July 28-1941 Rec'd. $360.40 my distributive share herein. Harriett Davis By Otis E. Gulley (Harriett Davis) her atty

15. July 28-1941 Rec'd. $360.40 my distributive share herein. Jennett Davis By Otis E. Gulley (Jennett Davis) her atty

16. July 28-1941 Rec'd. $360.40 my distributive share herein. Adella D. Scasky By Otis E. Gulley (Adella D. Scasky) her atty

17. July 28-1941 Rec'd. $600.65 my distributive share herein. Eva L Cox By Otis E. Gulley (Eva L. Cox) Her Atty

18. July 28-1941 Rec'd. $600.65 my distributive share herein Ada A. Anton By Otis E. Gulley (Ada A. Anton) her atty

19. July 28-1941 Rec'd. $600.65 my distributive share herein. Forest Brush By Otis E. Gulley (Forest Brush) his atty.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 12th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

OTIS WHITE)
VS) # 16421
WALDO G. PARMENTER, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 12th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

MARIE KELLER)
VS) # 16420
ANDREW W. McQUAT, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 12th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

PEARL MAY HEATH)
VS) # 16419
C. H. WALLERICK CO., ETC.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 14th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

CHARLES C. PAICELY, ET AL.)
VS) # 16422
WILBUR S. COX, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 14th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

THEODORE S. MUNSON)
VS) # 16423
MERLE S. MUNSON)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 14th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

ULYSSES S. LESH, ET AL.)
VS) # 16424
TOM R. ROBERTS, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 14th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

HELEN PERKINS)
VS) # 16425
ELMER PATTON, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 14th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

ALICE ELLIS)
VS) # 16426
FRANK ELLIS)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers

are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 15th day of July, 1941, 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:

MARY E. ROSE

VS.

WILLIAM ALLEN ROSE

RESTRAINING ORDER.

Comes now the plaintiff and submits to the court her complaint filed herein, which said complaint is in the following words and figures, to wit: (Here Insert), and also files her verified application and affidavit for a restraining order of this court, without notice, which verified application and affidavit are in the following words and figures, to wit: (Here Insert).

And this proceeding is now submitted to the court, and to the judge of said court, on said verified application and affidavit of the plaintiff for a restraining order, and the court, and judge thereof, being fully advised in the premises, finds for the plaintiff and finds the plaintiff is entitled to a restraining order against the defendant as therein prayed for.

Decree for

RESTRAINING ORDER.

It is, therefore, ordered and adjudged by the court, and of the judge of said court, that said defendant, William Allen Rose, be, and he is hereby, restrained from accosting, annoying, or molesting and causing any bodily harm or injury to the person of the plaintiff wherever she may be or wherever he may see, or find her until the further order of the court, or judge thereof.

It is further ordered and adjudged by the court, and of the judge of said court, that said defendant be, and he is hereby restrained from selling or disposing of any of his personal property mentioned in the application and affidavit filed herein until the further order of the court or judge thereof.

It is further ordered and adjudged by the court, and the judge of said court, that the defendant be and he is hereby restrained from in any way preventing or refusing to allow the plaintiff from entering upon the premises where plaintiff and defendant have formerly lived and obtaining her personal belongings in the way of clothes and other personal belongings and taking the same away with her. Also that she be allowed to dispose of her chickens and hens now on said premises without any molestation or hindrance from the defendant in relation to making disposition of such chickens and hens, and he is now herein restrained from interfering with the said sale thereof.

It is further ordered by the court, and judge thereof, that there issue to the sheriff of Hendricks County, Indiana, a certified copy of this order and that he be, and he hereby is, directed to serve the same upon the defendant by reading to or leaving a copy thereof at his residence, and that the same be served forthwith and that such sheriff make due return thereof.

Dated July 15, 1941.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 15th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

JENNIE A. DUKE)

VS) # 16305

THOMAS A. DUKE)

BE IT REMEMBERED, That on the 15th day of July, 1941, the defendant, Thomas A. Duke, in the above entitled cause by Hume and Gaston, his attorneys, filed in the office of the Clerk of the Hendricks Circuit Court, said Court being in Vacation, his motion for a 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 thereon 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 15th day of July, 1941, 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:

JENNIE A. DUKE,)

PLAINTIFF)

VS) # 16305 O R D E R

THOMAS A. DUKE,)

DEFENDANT)

Comes now Jennie A. Bonner and files her duly verified petition and information herein which is in the words and figures, following, to-wit: (H.I.) and alleging and showing that the defendant, Thomas A. Duke has refused to let said plaintiff take possession of live stock consisting of hogs, cattle, chickens, and house-hold goods, located upon plaintiff's farm in said county, and said defendant has forbidden plaintiff to remove, sell or control said live stock and poultry and other personal property belonging to the plaintiff thereon, which interferes with plaintiff's right and control of said personal property.

And the court having inspected said petition and information and being duly advised thereon, now orders and directs the said Thomas A. Duke to appear before the Judge of the Hendricks Circuit Court in the City of Danville, Indiana, presiding in the Circuit Court Room in the court house in said city on the 18th day of July, 1941 at 10 o'clock A. M. of said day and show cause why he should not be punished as and for contempt of court for violation of an injunction issued in this cause.

And the Sheriff of Hendricks County, Indiana is hereby ordered and directed to serve a copy of this order on the defendant, Thomas A. Duke, and make due return of his doings thereon.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 15th day of July, 1941, 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:

NOBLESVILLE MILLING CO.)

VS) # 15744

WILLIAM A. OPPLE)

Comes now the plaintiff, by counsel, in Vacation and files

motion to dismiss, which motion is in the words and figures following, to-wit: (H.I.).
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 17th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

ALBERT GARDNER)
VS) # 16429
INDIANAPOLIS UNION R. R. CO.,)
ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 17th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

MARY McAFEE)
VS) # 16430
RUSSELL PERRIN)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 18th day of July, 1941, 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;

JENNIE A. DUKE)
VS) # 16305
THOMAS A. DUKE)

Comes now the above plaintiff in person and by her attorneys, William & Schlosser, and Otis E. Gulley, and also comes Thomas A. Duke, by John A. Kendall his attorney, and plaintiff now shows the Hon. Horace L. Hanna, Judge of the Hendricks Circuit Court, that plaintiff filed her petition herein for defendant to show cause why he should not be punished for contempt of court on account of violating the order of the Hendricks Circuit Court, and that said defendant was ordered by the Judge of the Hendricks Circuit Court to be, and appear before him on the 18th day of July, 1941 at 10:00 o'clock, A. M, and that notice of said order was duly served on defend- and by leaving a true and complete copy thereof at his last and usual place of residence; the matter of said petition to show cause is now submitted to the Hon Horace L. Hanna, Judge of the Hendricks Circuit Court in chambers, and said Judge having heard the evidence and being fully advised and informed in the premises finds said defendant, Thomas A. Duke, has violated the order of the Hendricks Circuit Court and he is now adjudged guilty of contempt of this court and that he be imprisoned in the Hendricks County Jail until said order is complied with, or until the further order of the Court, and the Clerk of the Hendricks Circuit Court is hereby ordered to issue a warrant to the Sheriff of Hendricks County, Indiana for the arrest of the said Thomas A. Duke and that he be confined in the Hendricks County Jail until the order of this court

is complied with, or until the further order of this court.
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 18th day of July, 1941, 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) # 8168
ROBERT THOMPSON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned, and said defendant pleads not guilty of public intoxication.

The defendant is allowed to go on his own recognizance until further order of the Judge of the Court.
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 18th day of July, 1941, 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) # 8167
JAMES BARNETTE)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned before the Judge and pleads not guilty of assault.

The Court fixes bond at one hundred dollars.
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 18th day of July, 1941, 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) # 8167
JAMES BARNETTE)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant having expressed his wish to enter the military service of the U. S. the Judge with the approval of the Prosecutor, allows defendant to go on his own recognizance until September 1st, 1941, on condition that said defendant apply for entrance into the military service of the United States.
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 18th day of July, 1941, 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:

JENNIE A. DUKE)
VS) # 16305
THOMAS A. DUKE)

Comes now the above named plaintiff in person and by Williams & Schlosser

and Otis E. Gulley her attorneys, and also comes said defendant, in person and by John A. Kendall, his attorney, and said defendant asks leave for a further hearing in the contempt proceedings herein, which request is granted and the Judge of the Hendricks Circuit Court having heard the evidence and being fully advised and informed in the premises finds that said defendant, Thomas A. Duke has not obeyed the orders of the Hendricks Circuit Court, and he is thereby held to be and is adjudged guilty of contempt of Court and is ordered to be and remain in custody of the Sheriff of Hendricks County, Indiana, until he obtains his wearing apparel now in the residence on the real estate occupied by said plaintiff and defendant at the time said action was brought and upon said defendant leaving said real estate with said sheriff, and upon the promise of said defendant heretofore made not to enter upon said real estate while the personal property of plaintiff is situated thereon and not to interfere with said plaintiff in anyway in the care, custody and disposition of said personal property, the said defendant is hereby released from the further custody of the Sheriff of Hendricks County, and is allowed to go hence.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 23rd day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

WILLIAM A. ENGLES)
VS) # 15928
WILEY DORSETT)

BE IT REMEMBERD; That on the 23rd day of July, 1941, the defendant, Wiley Dorsett, in the above entitled cause by Otis E. Gulley, his attorney, filed in the office of the Clerk of the Hendricks Circuit Court, said Court being in Vacation, his motion for a 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 thereon 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 26th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, the sole Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA EX REL)
HOWARD M. STANTON, TRUSTEE)
VS) NO. 16090 Order on Petition for Partial Withdrawl
FLORENCE E. GOSSERT, ET AL.) of Tender.

Comes now the Relator and petitioner herein and files his petition for the withdrawl of certain funds which petition reads as follows: (here insert), and the Judge having heard the evidence and being fully advised consents to the withdrawl of the sum of five hundred (500) dollars of the money tendered and paid into court in Cause No. 55658 of the Circuit Court of Marion County, Indiana.

Attest: Walter E. Hadley Clerk.

BE IT REMEMBERED: That on the 26th day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, the sole Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA EX REL)
HOWARD M. STANTON, TRUSTEE)
VS) ORDER ON PETITION FOR PARTIAL WITHDRAWL OF TENDER.
FRANK E. MC KINNEY, ET AL.)

Comes now the Relator and petitioner herein and files his petition for the withdrawl of certain funds which petition reads as follows: (here insert), and the Judge having heard the evidence and being fully advised consents to the withdrawl of the sum of five hundred (500) dollars of the money tendered and paid into court in Cause No. 55928 of the Circuit Court of Marion County, Indiana.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 26th day of July, 1941, the same being in vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, the sole Judge thereof, the following proceedings were had herein, viz:

IN THE MATTER OF THE PETITION OF)
GEORGE A. NASH, ET AL FOR THE RE-)
PAIRING, STRAIGHTENING, BUILDING) # 14456 Order
TITLE AND COVERING THE CHRISTOPHER)
TRUCKSESS DITCH IN LINCOLN TOWNSHIP)

Comes now Harold Cook, drainage commissioner, and files his verified petition, (H.I.) showing that he has duly let the contract for the construction of said ditch to Lee Sadler and presents the bond of said Lee Sadler for the approval of the court. And the court having seen and inspected said bid and bond now endorses his approval upon said bond and orders the same filed with the Clerk of the court. And the court further approves the acts of the Drainage Commissioner in the letting of the contract ot Lee Sadler as the lowest and best bidder of all bids received.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERD: That on the 31st day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein,viz:

SAMUEL JOHNSON)
VS) 16435
ALMA JOHNSON)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBED: That on the 31st day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

JOHNS-MANVILLE CREDIT CORPORATION,)
A CORPORATION)
VS)
VERN LA RUE SEATON ET AL.)

Comes now the Clerk of the Marion Circuit Court and files transcript and papers on change of venue from the Marion Circuit Court, which

transcript and papers are in the words and figures following, to-wit: (H.I.).
Attest: Walter E. Hadley. Clerk.

BE IT REMEMBED: That on the 31st day of July, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

STATE OF INDIANA ON THE RELATION)
OF RALPH K. LOWDEN)
VS)
GEORGE E. CLAWSON)

Comes now the Clerk of the Morgan Circuit Court, and files transcript and papers on change of venue from the Morgan Circuit Court, which transcript and papers are in the words and figures following, to-wit: (H.I.)
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 2nd day of August, 1941, 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:

MYRTLE CUMMINGS)
VS) # 16439
GRADEN CUMMINGS)

Comes now the above named plaintiff and gaving filed her petition for divorce herein, and for the care and custody of said children, now also files her verified petition, asking the court for an order requiring said defendant to pay to her, for her use, a sufficent sum of money to enable her to prosecute her said cause of action, to pay her attorney, and for the support of her said children and herself during the pendency of this action, and she also asks that she be gratned a restraining order against said defendant restraining him from molesting or distrubing her, or interfering with her said children during the pendency of this action, which verified petition 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 said petition should be granted.

It is therefore ordered, adjudged and decreed by the court that said defendant be and he is hereby restrained from molesting or disturbing said plaintiff, and that the custody of said children during the pendency of this action is hereby given to this plaintiff, said defendant is also restrained from molesting or disturbing her in the custody of their children until the further order of this court.

It is further ordered and decreed by the court that said defendant be and appear at the court house in Danville, Indiana on the 2nd day of Sept. 1941, where the matter set forth in said petition as to the care and support of plaintiff and their said children during the pendency of this action and for the payment of attorneys fees by said defendant for said plaintiff's attorney, shall be heard by the court, and that this restraining order as set forth herein shall remain and be in full force and effect until the further order of the court.
Attest: Walter E. Hadley, Clerk.

STATE OF INDIANA)
VS) # 8171 Judgt. vs Deft. for Costs.
WILLIAM BEAR) J. D. 18, Page 222.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney,

and comes also the defendant, William Bear, in his own proper person, and said defendant is duly arraigned in Vacation, and said defendant pleads guilty to the charge of assault and battery with intent to commit a felony.

It is, therefore, adjudged that said defendant, William Bear, for the offense by him committed be and he shall be imprisoned in the Indiana Reformatory for not less than one year nor more than ten years, and he shall pay the costs of this action, taxed at _____dollars and _____cents.

The Court finds the age of said defendant, William Bear, to be eighteen years and directs him taken to the Indiana Reformatory, Pendleton, Indiana.
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 5th day of August, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

MARY McAFEE)
VS) # 16430
RUSSELL PERRIN)

Comes now the plaintiff, by counsel, in Vacation, and files motion to dismiss this cause of action, the costs being heretofore paid, which motion is in the words and figures following, to-wit: (H.I.).
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 6th day of August, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

BERNICE SPENCER)
VS) # 16441
HERBERT J. STEDFELD)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 7th day of August, 1941, 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) # 8173
ALFRED EDWARDS)
CHESTER BLANTON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendants, by Otis E. Gulley their attorney, and defendants request that arraignment be postponed until August 16th, 1941, at 9:30 A. M.

The Court now fixes bond at $5000.00 for each defendant, and request of defendants that arraignment be postponed until August 16th, 1941, at 9:30 A. M. is granted.
Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 16th day of August, 1941, 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:

WILLIAM B. HENDRICKS)
VS) # 16438
VELICA PEARL HENDRICKS)

Comes now the plaintiff, in person and by Hume & Gaston his attorney, and comes also the defendant, by Otis E. Gulley, her attorney, and the defendant having heretofore filed her verified petition asking for temporary support for herself and child and also asking allowance for attorney fees and for the custody of their said child, which verified petition is in words and figures, following; (H.I.) the same is now submitted to the court for hearing and determination, and the court being advised in the premises finds that the prayer of said petition should be granted.

It is therefore ordered by the court that said plaintiff pay to said defendant seven ($7.00) Dollars per week for the support and maintainance of said defendant and there said child during the pendency of this action, and that said first payment be made today, August 16, 1941, and on each Saturday thereafter until the further order of this court.

It is further ordered and decreed that said plaintiff shall have the right to call at the home of said defendant, on the 21st day of August, 1941 and take said child to the home of plaintiff's mother in Johnson County, Indiana, and not else where, and to return said child to the home of its mother in Hendricks County before dark Sunday Aug. 24, and that he shall also have the right to call for said child on September 20th (Saturday) 1941 soon after the noon hour and take said child to the home of plaintiff's mother in Johnson County, Indiana, and not elsewhere and to return said child to the home of defendant the following Sunday September 21, 1941, before dark, and that the further right to have said child be determined in the further order of the court at the trial of this cause, and that the said defendant have the care and custody of said child, subject to the above times, during the pendency of this action, and said plaintiff is trestrained from interferring with the custody of said child as above ordered.

It is also ordered by the court that plaintiff pay to Otis E. Gulley, defendant's attorney, the sum of $25.00 within thirty days from this date and that he pay the said sum of $25.00 on the day said case is tried, all of which is now finally ordered by the court.

Attest: Walter E. Hadley Clerk.

BE IT REMEMBERED: That on the 16th day of August, 1941, 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:

ALFRED EDWARDS)
VS) # 16453
WILTSIE J. STUART, AS)
SHERIFF, ETC.)

The Judge fixes return day of Habeas Corpus proceeding August 20th, 1941, at 9:30 A. M.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 16th day of August, 1941, 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:

CHESTER BLANTON)
VS) # 16454
WILTSIE J. STUART, AS)
SHERIFF, ETC.)

The Judge fixes return day of habeas corpus proceeding August 20th, 1941, at 9:30 A. M.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 16th day of August, 1941, 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) # 8173
ALFRED EDWARDS)
CHESTER BLANTON.)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and also comes now Otis E. Gulley, and withdraws his appearance for said defendants, and T. Ernest Maholm having entered his appearance for said defendants, and he being indisposed and having requested the Judge to delay the arraignment of said defendants until August 20th, 1941, so that he can be present, and the Court being duly advised, now fixes the date for the arraignment of said defendants August 20th, 1941, at 9:30 A. M.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 18th day of August, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

LENA D. COMER)
VS) # 16459
SAMUEL E. BLIZZARD)
GLENNA E. BLIZZARD)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 20th day of August, 1941, 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:

SUSIE L. ISLEY)
VS) # 16461 RESTRAINING ORDER.
LOREN ISLEY)

Comes now the above named plaintiff and shows to the court that she has filed her complaint for a divorce from the above named defendant; that she has also filed an affidavit in said cause setting forth that she is entitled to a restraining order against the defendant from molesting the person of the plaintiff, and from interfering with or preventing the plaintiff from disposing of her personal property as she might

see fit to do during the pendency of these proceedings, which complaint for divorce and affidavit for a restraining order are the following words and figures, to wit: (Here Insert).

And the court, having examined said complaint for divorce and the affidavit for a restraining order against the defendant, and being fully advised in the premises, while sitting in chambers, during a vacation of the court, does now, as judge of such court, find that the matters and things set forth in such affidavit are true, and that the plaintiff is entitled to a restraining order against the defendant, restraining him from molesting or in any way bothering the person of the plaintiff, and also restraining said defendant from interfering with the plaintiff in the disposition of the personal property belonging to her and fully itemized and described in her said affidavit.

It is therefore ordered and adjudged by the court, and by the judge of said court, that the defendant, Loren Isley, be and he is hereby restrained from molesting or in any way bothering the person of the plaintiff; and he is also hereby restrained from interfering with or preventing the plaintiff from making such disposition of her personal property as she may see fit to make during the pendency of these proceedings, and said plaintiff is now hereby authorized to proceed in making such disposition of her personal property, all as set forth and listed in her affidavit, as may be fitting and proper, during the pendency of these proceedings.

And now the court, and the judge of said court, directs that the Sheriff of Hendricks County, Indiana, shall serve this order and decree upon the defendant, Loren Isley, and that this shall be such sheriff's authority for serving the same.

Done in open court, during a vacation of court, by the judge of such court, this 20th day of August, A. D., 1941.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 20th day of August, 1941, 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) # 8174
LEWIS M. CARR)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Lewis M. Carr, in his own proper person, and said defendant is duly arraigned before the Judge and pleads not guilty of possession of still.

The Court fixes the defendant's bond at $300.00.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 20th day of August, 1941, 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) # 8173
ALFRED EDWARDS)
CHESTER BLANTON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting

Attorney, and come also the defendants, Alfred Edwards and Chester Blanton, in their own proper persons, their attorney, T. Ernest Maholm being ill, is unable to be present, and said defendants are duly arraigned before the Judge, and each of said defendants plead not guilty of robbery.

The Court continues the bond as heretofore fixed of $5000.00 for each defendant.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 20th day of August, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

PAULINE COLEMAN)
VS) # 16463
E. L. WIGGINS, WHOSE)
CHRISTIAN NAME IS UNKNOWN)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 20th day of August, 1941, 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:

ALFRED EDWARDS)
VS) # 16453
WILTSIE J. STUART, AS)
SHERIFF, ETC.)

Comes now Wiltsie J. Stuart, as Sheriff of Hendricks County, Indiana, and files return of defendant to writ of Habeas Corpus, in the words and figures following, to-wit: (H.I.).

Comes now T. Ernest Maholm, attorney for the plaintiff herein, and files statement that he is confined to his bed and under doctor's care, and asks that the hearing in this cause be continued.

The Court being sufficiently advised, now grants said request and hearing is continued.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 20th day of August, 1941, 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:

CHESTER BLANTON)
VS) # 16454
WILTSIE J. STUART, AS)
SHERIFF, ETC.)

Comes now Wiltsie J. Stuart, as Sheriff of Hendricks County, State of Indiana, and files return to Writ of Habeas Corpus in the following words and figures, to-wit: (H.I.).

Comes now T. Ernest Maholm, attorney for plaintiff, and files

statement that he is confined to his bed and under doctor's care, and asks that the hearing in this cause be continued.

The Court being sufficiently advised, now grants said request, and hearing is continued.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 21st day of August, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

DOROTHA OREM)
VS) # 16464
ROBERT W. ROUSCH AND)
WALTER KROME, DOING)
BUSINESS AS MODEL)
BAKING COMPANY.)

Comes now the Clerk of the Marion Circuit Court, and files transcript and papers on change of venue from Marion Circuit Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 22nd day of August, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

HELEN G. VEDETTE)
VS) # 16465
ELVA LUTHER VEDETTE)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 23rd day of August, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

MARGARET J. KING)
VS)# 16466
EDWARD J. KING)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

GRAND AND PETIT JURORS, DRAWN FOR THE SEPTEMBER TERM, 1941.

BE IT REMEMBERED, That on the 25th day of August, 1941, Thad J. Ryner and Harry G. Thomson, 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, 1941, of this court, viz:

1.	Fletcher McCalumet	Washington Twp.
2.	W. H. Sayer	Liberty Twp.
3.	Loyd Johnston	Union Twp.
4.	Leo Blessing	Center Twp.
5.	Mrs. Hazel Lambert	Clay Twp.
6.	Asa Page	Eel River Twp.

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 September Term, 1941, of this court, viz:

1. Phillip Wolfrom	Lincoln	Twp.	13. Emery Buchanan	Center	Twp.
2. Arthur Beihl	Clay	Twp.	14. Asa Scott	Middle	Twp.
3. Elvin Willard	Center	Twp.	15. Oscar Montgomery	Center	Twp.
4. Elmer Hall, Jr.	Franklin	Twp.	16. Judson Baxter	Marion	Twp.
5. Gertrude Hines	Eel River	Twp.	17. Robert Lowe	Liberty	Twp.
6. Harold E. Mason	Marion	Twp.	18. Stewart Fletcher	Guilford	Twp.
7. Ralph Jones	Middle	Twp.	19. Carl Harvey	Center	Twp.
8. John Mercer	Eel River	Twp.	20. Virgil Denny	Washington	Twp.
9. Marshall Eggers	Union	Twp.	21. Loren Gentry	Lincoln	Twp.
10. Wm. C. Zaring, Jr.	Marion	Twp.	22. James Edwards	Clay	Twp.
11. Harmon W. Ferguson	Lincoln	Twp.	23. Mrs. Fern Warrick	Brown	Twp.
12. Paul K. Christie	Washington	Twp.	24. Walter E. Pierson	Middle	Twp.

Attest: Walter E. Hadley, Clerk.

Monday Morning, September 1st, 1941.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the September Term, 1941, 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 September, 1941, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
George W. Hadley, Prosecuting Attorney,
Wiltsie J. Stuart, Sheriff,
Walter E. Hadley, Clerk.

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

STATE OF INDIANA)
VS) # 8173
ALFRED EDWARDS)
CHESTER BLANTON)

Comes now the defendant, Chester Blanton, and files affidavit for change of venue from Horace L. Hanna, sole Judge of the Hendricks Circuit Court, and he further states that he objects to said Judge, himself, selecting a Judge to try said cause, and asks that the Clerk be ordered forthwith to certify the facts stated in the affidavit to the Clerk of the Supreme Court of Indiana, for further action according to law, and which affidavit is in the following words and figures, to-wit: (H.I.).

Affidavit for change of venue from the Judge is sustainsed, and the Clerk is ordered to certify facts in affidavit to Clerk of Supreme Court of Indiana, all as provided by law.

CLIFTON HENRY)
VS) # 15094
ALMA BENDER, AND)
BANKERS TRUST COMPANY)

Come now the defendants, and file answer in three paragraphs, which answer is in the words and figures following, to-wit: (H.I.).

EDWARD E. THOMAS)
VS) # 16340
RUTH E. THOMAS)

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

MYRTLE EGGERS)
VS) # 16383
OTTIE A. EGGERS)

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

CATHERINE LITTRELL BEATTY)
VS) # 16402
INDIANAPOLIS LODGE NO. 17,)
LOYAL ORDER OF MOOSE)

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

MARY McAFEE)
VS) # 16430
RUSSELL PERRIN)

Comes now the plaintiff, by counsel, and the Court having seen and examined the plaintiff's motion to dismiss this cause, the costs paid, now sustains the same.

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

HELEN G. VEDETTE)
VS) # 16465
ALVA LUTHUR VEDETTE)

Comes now the defendant, and files cross-complaint, which cross-complaint is in the words and figures following, to-wit: (H.I.).

DON J. GOOD)
VS) # 16442
H. C. BROADSTREET,)
(WHOSE CHRISTIAN NAME)
IS UNKNOWN))

Comes now the plaintiff, amd moves the Court for a rule requiring defendant to answer complaint herein.

The Court being sufficiently advised, now sustains said motion, and the defendant is ruled to answer complaint herein on or before September 20th, 1941.

MARY ELLEN BORDERS)
VS) # 16381
LEON BAYLISS)
HAZEL BAYLISS)

Come now the defendants, and file demurrer to plaintiff's complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

WILLIAM A. ENGLES)
VS) # 15928 Judgt. vs Deft. for $375.00 and Costs.
WILEY DORSETT) J. D. 18, Page 223.

Comes now the plaintiff, and moves the Court to render judgment on the verdict of the jury. The Court being sufficiently advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff recover of and from the defendant, Wiley Dorsett, the sum of three hundred and seventy-five ($375.00) dollars, together with his costs laid out and expended herein.

CLAUDE THOMPSON)
VS) # 16065
CITY OF INDIANAPOLIS, ET AL.)

Come now the parties, and the Court now sustains motion to require the plaintiff to comply with Supreme Court, Rule 1-2, to which ruling of the Court the plaintiff objects and excepts.

Plaintiff is ruled to plead over on or before September 20th, 1941.

STATE OF INDIANA)
VS) # 8174 Judgt. vs Deft. for $50.00 Fine & Costs.
LEWIS M. CARR) J. D. 18, Page 223.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant now withdraws his plea of not guilty and enters his plea of guilty.

It is, therefore, adjudged by the Court that the defendant, Lewis M. Carr, for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for one hundred days, that he shall be fined fifty dollars, and that he shall pay the costs of this action, taxed at _____dollars and_____cents.

The Court now suspends the sentence to the Indiana Penal Farm, on condition that the defendant behave well and upon the further condition that the defendant remove himself and family to the State of Kentucky, and the defendant in open Court promises and agrees to remove himself and family to the State of Kentucky within ten days from this date, and should he not comply with this agreement, the Sheriff shall recommit the defendant to jail and this suspension of sentence shall be revoked. The defendant is given six months to pay the fine and costs herein.

The defendant complying with the conditions of the suspension of sentence and the payment of fine and costs herein as set forth, is now 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, September 2nd, 1941.

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

SOUTHERN JUNIOR COLLEGE, A CORP.)
VS) # 16472
HOWARD C. GAMMON,)
501 BLUE RIDGE)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

WARREN R. MUMMA)
VS) # 16457
VIRGIL MUSE)
CHLYSTA MUSE)

Come now the parties, and evidence is heard. The defendant, Virgil Muse, being examined as to all of his property, the defendants are released.

JACK WILLIS)
VS) # 16370
ROSALIE WILCOX)

Comes now the plaintiff, and files motion to dismiss this cause, costs paid, 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 premises, now sustains the same, and this cause is dismissed, costs paid.

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

NOBLESVILLE MILLING COMPANY)
VS) # 15744
WILLIAM A. OPPLE,)
CAMBY, INDIAN.)

Comes now the plaintiff, by counsel, and the Court having seen and examined motion to dismiss, heretofore filed, and being duly advised, now sustains said motion of plaintiff to dismissed this cause, costs paid.

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

JOHN B. JUSTICE)
VS) # 16325
FLORA C. TATMAN, ET AL.)

Comes now Roscoe L. Edwards, Commissioner herein, and as such Commissioner, files his final financial report, which final financial report is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said report and being sufficiently advised in its premises, now approves the same and Commissioner is discharged.

FLETCHER JOINT STOCK LAND)
BANK OF INDIANAPOLIS)
VS) # 16063
LAURA DOAN HUTTON, ET AL.)

Comes now John D. Taylor, Receiver, herein, and files his final financial report, which report is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said report and being sufficiently advised in its premises, now approves the same, and said receiver is discharged.

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 3rd, 1941.

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

ALICE ELLIS)
VS) # 16426
FRANK ELLIS)

Comes now the plaintiff, and by consent of Court, files second and additional paragraph of complaint, which second and additional paragraph of complaint is in the words and figures following, to-wit: (H.I.).

Plaintiff also files answer to defendant's cross-complaint, which answer is in the words and figures following, to-wit: (H.I.).

Plaintiff also files affidavit for allowance pending litigation, which affidavit is in the words and figures following, to-wit: (H.I.). The Court having seen and examined same, now fixes date for hearing September 13th, 1941, at 1:00 P. M., and notice is ordered issued accordingly.

STATE OF INDIANA)
VS) # 8167
JAMES BARNETTE)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi this cause of action, which motion is in the words and figures following, to-wit: (H.I.).

Motion is read aloud in open Court, and the Court being sufficiently 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) # 8169
CLEO LEE)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi this cause of action, which motion is in the words and figures following, to-wit: (H.I.).

Motion is read aloud in open Court, and the Court being sufficiently 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.

FRANK N. RHINE)
VS) # 15450
FORREST COOPER, ETC.,)
ET AL.)

Comes now the defendant, Perine Oil Refining Company, Inc., by leave of Court, and files it's amended answers to interrogatory number 5, which amended answers are in the words and figures following, to-wit: (H.I.).

Defendant, Perine Oil Refining Company, Inc., files answer to in-

terrogatories propounded to it by plaintiff, filed January 14th, 1937, from No. 1 to No. 9, both inclusive, which answer is in the words and figures following, to-wit: (H.I.).

SOUTHERN JUNIOR COLLEGE, A CORP.)
VS) # 16472
HOWARD C. GAMMON)
501 BLUE RIDGE)

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

The defendant also files brief supporting said demurrer, which brief is in the words and figures following, to-wit: (H.I.).

JOSEPH E. HARDIN)
VS) # 16343
BERT SOUDER)
CHARLES S. RAUK)

Comes now the plaintiff, and moves the Court for a rule requiring the defendants to answer complaint herein.

The Court being sufficiently advised, now sustains said motion, and the defendants are ruled to answer on or before September 10th, 1941.

POLAR ICE AND FUEL CO.)
VS) # 16365
ORAL McCAMMACK)

Comes now the plaintiff, by counsel, and the Court being duly advised, now overrules motion of the defendant to make complaint more specific, heretofore filed, to which ruling of the Court the defendant objects and excepts.

The defendants are now ruled to answer on or before September 10th, 1941.

MYRTLE EGGERS)
VS) # 16383
OTTIE A. EGGERS)

Comes now the parties in person and by their attorneys and the plaintiff now files her verified petition herein for the modification of the restraining order heretofore made by the court, which verified petition is in words and figures following to-wit: (H.I.) and the matter having been set for hearing by agreement of parties, the same is now submitted to the court for its consideration, and the court having read said verified petition and being fully advised and informed by both parties, finds that said order heretofore made by the court should be modified.

It is therefore thereby ordered by the court that the defendant shall have the right to call for both of said children at the home of the plaintiff every third Friday afternoon at the close of school of said days, and that he shall return the said Norma Eggers to the home of the plaintiff at or before two o'clock P. M. the following Sunday; that he shall return the said Kathereen Eggers to said plaintiff's home on or before the following Friday afternoon and that said restraining order heretofore issued by the court, in all other respects, shall remain in full force and effect.

FAYE ELMORE)
VS) # 16414 Judgt. vs Pltf. for Costs.
GLENDON ELMORE) J. D. 18, Page 223.

Comes now the plaintiff, 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.).

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, Faye Elmore, 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 H. Hanna, Judge.

Thursday Morning, September 4th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

JOHN T. TRAVIS)
VS) # 16348
CHARLOTTE ANDERSON)

Comes now the plaintiff, by counsel, and the Court being duly advised, now sustains plaintiff's demurrer to defendant's second paragraph of answer to plaintiff's complaint, to which ruling of the Court the defendant objects and excepts.

The defendants are ruled to answer on or before September 11th, 1941.

ROBERT T. TOMPKINS)
VS) # 16385
HAROLD KATTAU)

Comes now the defendant, by counsel, and the Court being duly advised, now overrules defendant's motion to strike out parts of paragraph one and parts of paragraph two of plaintiff's complaint, as to specifications numbers 1, 3, 4, 5 and 7, to which ruling of the Court the defendant excepts, and the Court sustains said motion as to specifications number 2 and number 6 to the word Plaintiff in seventh line from bottom of said specification, to which ruling of the Court the plaintiff excepts.

Plaintiff is ruled to plead over on or before September 20th, 1941.

OLIVER FARM EQUIPMENT SALES CO.)
VS) # 16316
ELSWORTH STUART, d/b/a HOOSIER)
GARAGE.)

Come now the parties, and the Court now sustains defendant's affidavit for change of venue from Hendricks County, Indiana, and the parties now agree that said cause shall be venued to Putnam County, Indiana, and the Court now orders said cause venued to Putnam County, Indiana.

ZULA B. KLAMT)
VS) # 16285
GLADYS DICKERSON, ET AL.)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

VIRGINIA GORHAM)
VS) # 16396 DIVORCE DECREE Judgt. vs Deft. for $25.00 Atty. Fee.
CLOYCE BOYD GORHAM) J. D. 18, Page 224.

Comes now the plaintiff in person and by counsel, and it appearing to the satisfaction of the court by the summons and the sheriff's return thereon, which are as follows, to wit: (H.I.) that the defendant has been duly served with process for more than ten days before the day fixed by the plaintiff, by indorsement on her complaint for the defendant to appear and answer said complaint.

Creighton Ball, attorney who having heretofore entered his appearance for said defendant, moves the court to with draw his said appearance, which motion is sustained.

Said defendant is three times loudly called in open court, but comes not, and makes default. Comes now George W. Hadley, Prosecuting Attorney for the 55th Judicial Circuit, State of Indiana, and enters his appearance for said defendant, whereupon said cause is submitted to the court for trial, finding and decree.

The court having heard the evidence and being fully advised in the premises, finds for the plaintiff and that she is entitled to a divorce from the defendant on the grounds alleged in her complaint; That she is entitled to have her maiden name restored to her, that of Virginia Cummings; that the defendant should pay to her attorney the sum of $25.00 as attorney fee, which has been heretofore ordered;

It is therefore, considered and adjudged by the court that the bonds of matrimony existing between said plaintiff and defendant be dissolved, that defendant pay $25.00 to plaintiff's attorney, and that this plaintiff be granted an absolute divorce from this defendant; that the maiden name of said plaintiff be and the same is hereby restored to her, the same being Virginia Cummings.

RULE TO SHOW CAUSE

STATE OF INDIANA IN THE HENDRICKS CIRCUIT COURT
HENDRICKS COUNTY SEPTEMBER TERM 1941 # 16396
Virginia Gorham
vs
Cloyce Boyd Gorham

John A. Kendall, having filed this day in this court his verified information concerning the contempt of this court of defendant Cloyce Boyd Gorham, which is as follows, to wit:

State of Indiana In the Hendricks Circuit Court
Hendricks County September Term 1941 Cause No. 16396
Virginia Gorham Affidavit of indirect contempt of Court
vs # 16396
Cloyce Boyd Gorham

Comes now John A. Kendall, who being duly sworn upon hisoath, says that he is the attorney for the plaintiff in the above entitled cause of action; That said defendant was represented by one Creighton Ball; That on July 5th, 1941, by agreement of parties, an order was made by the Judge of the Hendricks Circuit Court, requiring the defendant to pay to said John A. Kendall on or before September 1, 1941, the sum of $25.00; That the first of September 1941 is past and that said defendant has failed to pay said sum of money, as required and ordered by the court.

Wherefore, affiant prays that said defendant be cited for contempt of this court.

John A. Kendall

Subscribed and sworn to before me this 4 of Sept. 1941

Walter E. Hadley, Clerk

It is therefore ordered by this court that the said Cloyce Boyd Gorham be and appear in this court on the 5 day of September 1941 at 1:00 P. M. daylight standard time, to show cause if any, why he should not be punished and attached for contempt of court. Dated this 4th of September 1941.

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, September 5th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

FREDONIA ELLIOTT BY SHED)
ELLIOTT NEXT FRIEND)
VS) # 16398
STARLING W. JAMES)

Comes now the defendant and files answer to complaint, which answer is in the words and figures following, to-wit: (H.I.).

RUSSELL H. EATON)
VS) # 16432
MARJORIE BECK, ET AL.)

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

THOMAS A. DUKE)
VS) # 16460
JENNIE A. BONNER)
THE PRUDENTIAL INS.)
CO. OF AMERICA)

Comes now the plaintiff, by counsel, and the defendants are ruled to answer complaint herein on or before September 20th, 1941.

MARY E. ROSE)
VS) # 16428
WILLIAM ALLEN ROSE)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

ARATHAL EDELEN)
VS) # 16290 Judgt. vs Pltf. for Costs.
WAYNE R. LAUDIG) J. D. 18, Page 224.

Comes now the plaintiff, and files motion to dismiss this cause at cost of plaintiff, 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 premises, now sustains the same, 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, Arathal Edelen, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

MARGARET BARNECLO)
VS) # 16368 Judgt. vs Deft. for Costs.
DONALD RICE BARNECLO) D E C R E E J. D. 18, Page 224.

Come now the parties by counsel, and it appearing to the court that the defendant herein has been duly served with process more than ten days before the day on which the summons herein was made returnable.

And this cause being at issue, is submitted to the court without the intervention of a jury; and the court having heard the evidence, and being duly advised in the premises, now finds for the plaintiff herein and that the allegations of plaintiff's complaint are ture and that she is entitled to a decree of divorce from defendant herein on the grounds therein alleged.

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

It is further considered and adjudged by the court that the plaintiff herein recover of the defendant herein her 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 E. Hanna, Judge.

Saturday Morning, September 6th, 1941.

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

VIRGIL HURIN)
VS) # 16458
LEON BAYLISS)

The defendant is ruled to answer on or before September 20th, 1941.

RUSSELL H. EATON)
VS) # 16432
MARJORIE BECK, ET AL.)

Come now the defendants, Mildred Jones, Elliott Jones, Marjorie Beck and Donald Beck, and file answer waiving issuance and service thereof and consent to sale of real estate, which answer is in the words and figures following, to-wit: (H.I.).

BERNICE E. SHIRLEY)
VS) # 16043 Judgt. vs Defts. for Costs.
CHARLES F. TUCKER:) J. D. 18, Page 224.
HELEN CLAIRE TUCKER)

Comes now the plaintiff in person, and by her attorneys Otis E. Gulley and Fenton, Steers, Beasley & Klee, and also comes the defendant, Helen Claire Tucker in person and by her guardian, Richard Hoben, and Kane, Blaine & Hollowell, attorneys for said defendant and said guardian and this cause having been submitted to the court for trial, finding judgment and decree, and the court having heard the evidence, and having taken the same under advisement, and being duly advised and informed in the premises finds for the plaintiff upon her complaint, and that the allegations therein are true, and the court now finds against each of said defendants and the court now further finds that plaintiff, on and prior to the 17th day of September 1938, was the owner in fee simple, and in possession of the real estate described in plaintiff's complaint herein, and that on said 17th day of September 1938, said plaintiff executed and delivered a deed of conveyance purporting to convey said real estate to the defendants Charles F. Tucker and Helen Claire Tucker, husband and wife as tenants by the entirties, and that said purported conveyance was placed of record by Charles F. Tucker, and was recorded in deed record 146 at pages 94 and 95 in the Recorder's Office of Hendricks County, Indiana; that afterwards, to-wit: on or about the 16th day of November 1938, said plaintiff executed and delivered another deed of conveyance, purporting to be a deed of correction, and purporting to convey said real estate to defendants Charles F. Tucker and Helen Claire Tucker, husband and wife as tenants by entireties and for a purported consideration of $1750.00, which last mentioned deed purporting to convey said real estate was filed for record on the 21st day of November 1938, and recorded in deed record 146 at pages 96 and 97 in the office of the Recorder of Hendricks County State of Indiana.

The court further finds that said deeds purporting to convey said real estate were procured by fraud on the part of the said defendant Charles F. Tucker, and that no consideration whatsoever was paid by defendants, or either of them for said

real estate, and that no consideration was received by the plaintiff for said deeds of conveyance, or for either of them.

The court further finds that said deeds and each of them, purporting to convey said real estate are null and void and should be cancelled and set aside and held for naught, and that said deeds cast a cloud upon plaintiff's title to said real estate, and that plaintiff is entitled to have her title quieted and forever set at rest in and to said real estate, and is entitled to the immediate possession of said real estate.

The court further finds that H. H. Disney, heretofore appointed, by this court in this proceedings, is now the duly, legally qualified and acting receiver herein, and as such receiver is in possession of said real estate, and as such receiver should deliver possession of said real estate to said plaintiff and that said receiver should make his final report as to his administration of said trust, and should pay the costs incurred therein, including a reasonable compensation to himself and his attorneys for services rendered therein, and any balance remaining in his hands, as such receiver should be paid by him to the plaintiff herein.

It is therefore considered, adjudged and decreed by the court that the plaintiff is the owner, in fee simple, of the real estate described in her complaint, and also mentioned and described in the aforesaid deeds and that said real estate is also described as follows to-wit:

The south half of the northeast quarter of Section 5, township 15 north of range 1 west, also;

The south half of the northwest quarter of section 4, in township 15 north of range 1 west containing 160 acres, more or less,

The south half of the northwest quarter of section 5, township 15 north, range one west and bounded as follows; Beginning at the west half mile stone of said Section 5, and running thence north 19 chains and 67 links to the northwest corner of said south half quarter; thence east on the north line thereof 39 chains and 33 links to the northeast corner of said south half quarter; thence south 20 chains and 12 links to the center of said section 5; thence west 39 chains and 28 links to the place of beginning estimated to contain 78.21 acres more or less, Also

A part of the northeast quarter of the southwest quarter of section 5, township 15 north, range 1 west and bounded as follows, to-wit: Beginning at the northeast corner of said quarter quarter and running thence west 19 chains and 58 links to the northwest corner of said quarter quarter; thence south on the west line thereof 17 chains and 92 links; thence east 19 chains and 58 links to the east line of said quarter quarter; thence north 17 chains and 90 links to the place of beginning estimated to contain 35 7/100 acres more or less, Also,

The north fractional of the northwest quarter of Section 5 in township 15 north of range 1 west containing 89.11 acres, also

Seven chains and 77 4/5 links in width from north to south off of

and across the entire south side of the southwest quarter of section 32, Township 16 north of range 1 west containing 31.14 acres more or less, Also

A part of the north half of the northwest fractional quarter of Section 4 township 15 north of range 1 west described as follows; Beginning at the southeast corner of said north half of the northwest fractional quarter and running thence north along the east line of said half quarter section a distance of 22.90 chains and to the north line of said section 4; thence run west along the north line of said section 4, a distance of 30;31 chains to the east right-of-way line of the State Road No. 39; thence run south 27 degrees and 16 minutes east along said east right-of-way line a distance of 4.81 chains; thence continuing along said east R/W line south 30 degrees and 58 minutes east a distance of 13.67 chains; thence continuing along said east R/W line south 35 degrees and 3 minutes east a distance of 8.01 chains and to the south line of said half quarter section; thence run east along the south line of said north half of the northwest fractional section a distance of 16.47 chains to the place of beginning, containing in said section 4, 53.96 acres, more or less, Also

A part of the southwest quarter of section 33 township 16 north of range 1 west described as follows; Beginning at the south half mile stone of said section and run thence north 40.51 chains to the center of said section; thence run west along the north line of said southwest quarter a distance of 31.31 chains; thence run south a distance of 32.81 chains; thence run west a distance of 2.68 chains and to the east rightof way line of State Road 39; thence run south 27 degrees and 16 minutes east along said east R/W line, a distance of 2.23 chains; thence run south 62 degrees and 44 minutes west along said R/W line a distance of 30 links; thence run south 27 degrees and 16 minutes east along said east R/W line a distance of 6.26 chains and to the south line of said section 33; thence run east on and long said south line a distance of 30.31 chains to the place of beginning containing in said section 33, 127.57 acres more or less. containing in both tracts above described 181.53 acres, more or less and containing in all 575 acres more or less.

It is further considered, adjudged and decreed by the court that the deed aforesaid recorded in deed record 146 at pages 94 and 95 and the deed aforesaid recorded in Deed Record 146 at pages 96 and 97, are each hereby cancelled, set aside and held for naught.

It is further considered, adjudged and decreed by the court that the the title of plaintiff in and to said real estate described herein is hereby quieted and forever set at rest as against both of said defendants, and each of them, and against all persons claiming by, under or through them or either of them, and it is further ordered, adjudged and decreed by the court that the receiver herein surrender possession of said real estate to plaintiff; that he make his report to this court of the administration of said trust, and after paying all costs incurred in said receivership including what is due said receiver and his attorneys for services rendered herein, that he pay, any balance remaining in his hands to plaintiff herein.

It is further ordered, adjudged and decreed by the court that plaintiff recover from said defendants her costs and charges in this cause of action layed out and expended by her and taxed at _____dollars and _____cents, all of which is now finally ordered, adjudged and decreed by the court.

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

Record read and signed in open court.

Horace E. Hanna, Judge.

Monday Morning, September 8th, 1941.

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

GERTRUDE M. McCORD)
VS) # 16473
ERNEST O. McCORD, ET AL.)

Comes now the plaintiff, and files complaint in partition, which complaint is in the words and figures following, to-wit: (H.I.).

Said plaintiff also files affidavit and motion for non-resident notice to defendant, Ernest O. McCord, which affidavit and motion are in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said affidavit and motion, and being sufficiently advised, now orders notice issued, returnable November 3rd, 1941, as by law provided.

O. JENNINGS TERRELL)
VS) # 16350
GEORGE BERZENYE)

Comes now the plaintiff, 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: (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, the costs paid.

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

JAMES H. RICHMOND AS)
RECEIVER, ETC.)
VS) # 16160
IVAN WEBSTER RIGGINS)

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

The Court being sufficiently advised, now sustains said motion, and this cause is dismissed, costs paid.

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

FRANK N. RHINE)
VS) # 16327
FORREST COOPER,)
ETC., ET AL.)

Comes now the plaintiff, 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: (H.I.).

The Court being duly advised, now sustains said motion, and this cause

is dismissed, costs paid.

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

THOMAS NUGENT)
VS) # 15811
STEWART T. TONGRET, ET AL.)

Come now the defendants, by counsel, and the Court being duly advised, now overrules motion for new trial of the defendants, Cecil M. Ross and Jean L. Ross, to which ruling of the Court the defendants, Cecil M. Ross and Jean L. Ross, object and except.

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

Come now the parties, and the Court being duly advised, now overrules defendant, Roy Clark's, demurrer to plaintiff's complaint, to which ruling of the Court the defendant, Roy Clark, objects and excepts.

The defendant is ruled to answer complaint herein, on or before September 12th, 1941.

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 9th, 1941.

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

PAUL H. SULLIVAN)
HARRIETT HOFFMAN)
VS) # 16395 E N T R Y
MARIAN HARDY ET AL.)

1.

Comes now the plaintiffs by counsel, and it appearing to the satisfaction of the court, by the notice and proof of publication herein, which said notice and proof of publication are in the words and figures as follows: (H.I.), that the defendants and each of them 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 in the town of Danville in Hendricks County in the State of Indiana, the last of which said publications was made on the 19th day of June, 1941, and more than thirty days before the first day of the present term of this court, being the September Term, 1941, thereof.

2.

And now on motion of plaintiffs the defendants and each of them are three times loudly called in open court and come not but herein wholly made default.

3.

And this cause being at issue on plaintiffs' petition for partition of real estate and the defaults of defendants and each of them, the same on motion of plaintiffs, is submitted to the court for trial and determination without the intervention of a jury.

4.

And the court having examined said petition, and having heard the evidence, and being sufficiently advised in the premises finds for the plaintiffs on their petition for partition and that the allegations of plaintiffs' petition are true.

5.

The court further finds, as alleged in said petition, that the plaintiffs, Paul H. Sullivan and Harriett Hoffman, and the defendants, Marian Hardy, Aaron A. Sullivan, John D. Sullivan, Mamie Rush, Mabel O'Sullivan, Margaret Boswell, Dale O'Sullivan, Arleigh Mauck, Elizabeth Bernard, Glada Moore Groeger, J. W. Davidson, whose Christian name is unknown, Hazel Wilcox, Chester Davidson, and Lillian Lamle are the owners of the real estate described in said petition and hereinafter described as tenants in common.

6.

The court further finds that the defendants, _____Hardy, husband of Marian Hardy, whose Christian name is unknown;_____Sullivan, wife of Aaron A. Sullivan, whose Christian name is unknown; _____Sullivan, wife of John D. Sullivan, whose Christian name is unknown; _____Rush, husband of Mamie Rush, whose Christian name is unknown; _____O'Sullivan, husband of Mabel O'Sullivan, whoss Christian name is unknown; _____Boswell, husband of Margaret Boswell, whose Christian name is unknown; _____O'Sullivan, wife of Dale O'Sullivan, whose Christian name is unknown; _____Mauck, husband of Arleigh Mauch, whose Christian name is unknown; _____Bernard, husband of Elizabeth Bernard, whose Christian name is unknown; _____Groeger, husband of Glada Moore Groeger, whose Christian name is unknown; _____Davidson, wife of J. W. Davidson, whose Christian name is unknown;

_____Wilcox, husband of Hazel Wilcox, whose Christian name is unknown; _____ Davidson, wife of Chester Davidson, whose Christian name is unknown; _____Lamle, husband of Lillian Lamle, whose Christian name is unknown; _____Sullivan, wife of Paul H. Sullivan, whose Christian name is unknown; and _____Hoffman, husband of Harriett Hoffman, whose Christian name is unknown, have and hold no right, title, or interest in said real estate, except that they and each of them have an inchoate interest therein in virtue of being the respective spouses of the plaintiffs and the defendants named in paragraph five hereof.

7.

The court further finds that the plaintiffs and the defendants named in paragraph five hereof are the owners of said real estate in the following portions, to-wit:

That plaintiff, Paul H. Sullivan, is the owner of the undivided 1/5 interest therein;
That plaintiff, Harriett Hoffman, is the owner of an undivided 1/5 interest therein;
That defendant, Marian Hardy, is the owner of an undivided 1/5 interest therein;
That defendant, Aaron A. Sullivan, is the owner of an undivided 1/35 interest therein;
That defendant, John D. Sullivan, is the owner of an undivided 1/35 interest therein;
That defendant, Mamie Rush, is the owner of an undivided 1/35 interest therein;
That defendant, Mabel O'Sullivan, is the owner of an undivided 1/35 interest therein;
That defendant, Margaret Boswell, is the owner of an undivided 1/35 interest therein;
That defendant, Dale O'Sullivan, is the owner of an undivided 1/35 interest therein;
That defendant, Arleigh Mauch, is the owner of an undivided 1/35 interest therein;
That defendant, Elizabeth Bernard, is the owner of an undivided 1/30 interest therein;
That defendant, Glada Moore Groeger, is the owner of an undivided 1/30 interest therein;
That defendant, J. W. Davidson, whose Christian name is unknown, is the owner of an undivided 1/30 interest therein;
The defendant, Hazel Wilcox, is the owner of an undivided 1/30 interest therein;
That defendant, Chester Davidson, is the owner of an undivided 1/30 interest therein;
That defendant, Lillian Lamle, is the owner of an undivided 1/30 interest therein;

The court further finds that said parties are entitled to have their said interest set off and assigned to them in severalty.

8.

The court further finds from the evidence that, as alleged in said petition, the said real estate cannot 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 distributed to the owners thereof in accordance with the rights and interests of the said parties in and to said real estate as the same are herein found and determined, after the payment of all costs of this proceedings and necessary expenses thereof, including taxes.

9.

It is therefore considered, adjudged, ordered and decreed by the court that the plaintiffs, Paul H. Sullivan and Harriett Hoffman, and the defendants, Marian Hardy, Aaron A. Sullivan, John D. Sullivan, Mamie Rush, Mabel O'Sullivan, Margaret Boswell, Dale O'Sullivan, Arleigh Mauck, Elizabeth Bernard, Glada Moore Groeger, J. W. Davidson, whose Christian name is unknown, Hazel Wilcox, Chester Davidson, and Lilliam Lamle, are the owners of, and have the interests as above set forth in paragraph 7 hereof in and to the real estate described in plaintiffs' petition for partition, lying and being in Hendricks County, State of Indiana, and described as follows, to-wit:

A part of the North-east quarter of the North-west quarter of Section 15, Township 15 North, Range 1 East, bounded and described as follows:- Beginning

at a stone in the center North of the North West quarter of said Section and running thence East, in the center of a public highway, and on the North line of said Section a distance of 20.66 chains and to a stone in the center North of said Section 15; thence run South on the center line of said Section a distance of 8.49 chains; thence run West parallel to the North line of said Section a distance of 20.66 chains, and to a stone on the line running North and South through the center of the Northwest quarter of said Section; thence run North along said center line and in the center of a public highway a distance of 8.49 chains to the place of beginning, estimated to contain 17.54 acres more or less,

or to any proceeds derived from its sale.

10.

It is further considered and adjudged by the court that said real estate is not susceptible of partition without damage to the said owners thereof.

11.

Wherefore it is by the court further ordered and adjudged that the whole of said real estate, after being duly appraised as provided by law, be sold by a commissioner a pointed for that purpose at private sale for not less that the full appraised value thereof and for cash in hand.

12.

It is further ordered and adjudged that notice of the time, terms, and place of such sale shall be given by 2 publications thereof once each week for 2 weeks successively, in some newspaper of general circulation printed and published in the English language in Hendricks County, State of Indiana, and by posting written or printed notices thereof in 5 public places at least 3 of which shall be in the township wherein said real estate is situate, which notice shall be so published and all notices so posted at least 14 days prior to the time fixed for said sale, and if said real estate is not sold on the day so fixed, said sale shall continue from day to day thereafter until sold or until further order of the court.

13.

And upon such sale being made as aforesaid and confirmed by the court all claim, right, interest, or title in and to said real estate held by any of the said owners thereof including the inchoate interest therein of the defendants named in paragraph 6 hereof shall be as effectually barred as if the said parties had themselves executed a conveyance thereof to the purchaser.

14.

And the court now appoints John C. Reed 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 $2500.00, conditioned for the faithful discharge of his duties and with surety thereon to the approval of the court.

15.

And comes now the said John C. Reed and accepts such trust and tenders his bond as commissioner in the penalty and conditioned as aforesaid with Great American Indemnity Company as surety thereon, which bond is examined and approved by the court and its approval endorsed thereon and which bond together with the court's approval endorsed thereon read as follows: (H.I.). And said commissioner is now 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 doings during this term of court, and time is given.

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

Record read and signed in open court.

Horace R. Hanna, Judge.

Wednesday Morning, September 10th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

FEDERAL LAND BANK)
OF LOUISVILLE)
VS) # 16347
JOHN W. LAMBERT, ET AL.)

Comes now the plaintiff, by counsel, and the defendants are ruled to answer complaint herein on or before September 20th, 1941.

JULIA M. BROWN)
VS) # 16205
J. RAY MONAGHAN, ET AL.)

Comes now the plaintiff, by counsel, and the Court being duly advised, now overrules plaintiff's motion to make amended counter claim more specific, to which ruling of the Court the plaintiff objects and excepts.

Plaintiff is ruled to reply to defendant's amended counter-claim on or before September 20th, 1941.

RUSSELL H. EATON)
VS) # 16432
MARJORIE BECK, ET AL.)

Comes now the defendant, Ralph Eaton, and files affidavit for change of venue from Hendricks County, Indiana, which affidavit is in the following words and figures, to-wit: (H.I.).

NINA TOWLES)
VS) # 16299
GLENDON TOWLES)

Comes now the plaintiff, and this cause having now been reached on trial calender on motion of the plaintiff, said defendant is three times loudly called in open Court but comes not and herein wholly makes default.

Comes now George W. Hadley, Prosecuting Attorney, and enters his appearance for said defendant and files answer in denial, which answer is in the words and figures following, to-wit: (H.I.).

This cause 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.

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

Record read and signed in open court.

Horace R. Hanna, Judge.

Thursday Morning, September 11th, 1941.

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

JOSEPH E. HARDIN)
VS) # 16343
BERT SOUDER)
CHARLES S. RAUH)

Comes now the defendant, Charles S. Rauh, and files answer to plaintiff's complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

Comes now the defendant, Roy Clark, and files answer and counter claim in two paragraphs, which answer and counter claim are in the words and figures following, to-wit: (H.I.).

Plaintiff is now ruled to answer counter claim on or before September 13th, 1941.

RUSSELL H. EATON)
VS) # 16432
MARJORIE BECK, ET AL.)

Come now the parties, and the Court sustains motion for change of venue from Hendricks County, Indiana, heretofore filed.

Parties agree that said cause be venued to Morgan County, Indiana, and this cause is ordered venued to Morgan County, Indiana, and five days are given to perfect said change of venue.

JOSEPH E. HARDIN)
VS) # 16343
BERT SOUDER)
CHARLES S. RAUH)

Comes now the defendant, Bert Souder, and files separate answer to plaintiff's complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 8175
EZRA HILDEBRAND)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty of assault.

Court being duly advised, now allows said defendant to go on his own recognizance, on promise of defendant to appear at any time this cause is set for trial.

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

Comes now the defendant, Horace Bell, and files separate answer to plaintiff's complaint herein, which separate answer is in the words and figures following, to-wit: (H.I.).

HOME LUMBER CO.)
VS) # 16277
CHARLES F. TUCKER)
HELEN CLAIRE TUCKER)
BERNICE SHIRLEY)

All defendants are ruled to answer complaint herein on or before September 20th, 1941.

POLAR ICE & FUEL COMPANY)
VS) # 16365
ORAL McCAMMACK)

Comes now the defendant and files his interrogatories to be answered by the plaintiff herein under oath, and the plaintiff by its duly qualified and acting officials is ruled to answer the same on or before the 16th day of Sept., 1941, to which the defendant accepts.

NINA TOWLES)
VS) # 16299
GLENDON J. TOWLES)

Comes now the plaintiff, in person and by her attorney, John A. Kendall, and the Court having heard the evidence and being duly advised therein now finds for the plaintiff, that the alligations ~~of~~ her complaint is true and that she should be granted a divorce from said defendant that said plaintiff should be given the custody and control of Marjorie Ann Towles and that the defendant should pay to this plaintiff for the care and support of said Marjorie Ann Towles the sum of $7.00 per week, the first payment to be made the 13th day of September, 1941.

It is therefor ordered decreed by this court that the plaintiff be granted an absolute divorce from said defendent: That she receive the care, custody and control of Marjorie Ann Towles: that the defendent pay to this plaintiff the sum of $7.00 per week for the care and support of Marjorie Ann Towles, the first payment to be paid September 13, 1941. Cost paid.

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 12th, 1941.

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

PAUL H. SULLIVAN, ET AL.)
VS) # 16395
MARIAN HARDY, ET AL.)

Comes now the commissioner, and files inventory and appraisement of real estate, which inventory and appraisement are in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said inventory and appraisement and being duly advised in its premises, now approves the same.

BERNICE SPENCER)
VS) # 16441
HERBERT J. STEDFELD)

Comes now the plaintiff, and moves the Court for a rule requiring defendant to answer complaint herein.

The Court being duly advised, now sustains said motion, and the defendant is ruled to answer complaint herein on or before September 25th, 1941.

JOHN MANVILLE CREDIT CORP.)
VS) # 15671
VERN LA RUE SEATON)

Plaintiff is ruled to answer verified petition for writ of error coram nobis on or before September 22nd, 1941.

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS)
THE PENNSYLVANIA)
RAILROAD CO.)

Come now the plaintiffs, 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 objects and excepts.

The defendant is now ruled to answer complaint herein on or before September 22nd, 1941.

GRAND JURY EMPANELLED FOR THE SEPTEMBER TERM, 1941.

The Clerk of the Hendricks Circuit Court is ordered to issue venire for the Grand Jurors to appear in this Court, Monday, September 15th, 1941, and 9:00 o'clock A. M.

PETIT JURY EMPANELLED FOR THE SEPTEMBER TERM, 1941.

The Clerk of the Hendricks Circuit Court is ordered to issue venire for the above named Petit Jurors to appear in this Court, Monday, September 15th, 1941, at 9:00 o'clock A. M.

Friday, September 12th, 1941, and the 11th day of the September Term, 1941.

MABLE BAILEY)
VS) # 16475
HAROID E. BAILEY) ENTRY AND NOTICE.

Comes now the plaintiff, Mable Bailey, and files her complaint for divorce against the defendant, Harold E. Bailey, which complaint is in the following words and figures, to wit: (Here Insert).

Said plaintiff also files her affidavit for support money for herself and two children during the pendency of this action, and also for an allowance for her attorneys for their services in representing her in this action; she also sets forth in said affidavit that she has a good and meritorious cause for a divorce, which affidavit is in the following words and figures, to wit: (H.I.):

And the court, having examined said complaint and affidavit for support money for attorneys' fees, and being fully advised in the premises finds that the plaintiff is apparently entitled to an order against the defendant for suit money for the support of herself and two children during the pendency of this action, and for attorney's fees with which to compensate her attorneys for representing her in this action.

It is therefore ordered by the court that a hearing be had on the matters and things set forth in said affidavit, and the court fixes the 26th day of September, 1941, at the hour of 10:00 o'clock A. M., at the Court Room in the Court House at Danville, Indiana, as the time and place for a hearing on said matters, of which time and place you will take notice.

Sept. 12th, 1941.

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 13th, 1941.

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

STATE OF INDIANA)
VS) # 8179
JOHN F. ROBINSON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty of trespass.

The Court now fixes the defendant's bond at $100.00.

STATE OF INDIANA)
VS) # 8180
MARTIN LINKMIER)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty of trespass.

The Court being duly advised, and on the agreement of defendant to appear herein on request of the Court, now allows said defendant to go on his own recognizance until further order of the Court.

GLEN A. PEFLEY)
VS) # 16445
LILLIE PEFLEY)

Comes now the plaintiff, and moves the Court for a rule requiring defendant to answer complaint herein.

The Court being duly advised, now sustains said motion, and the defendant is ruled to answer complaint herein September 23rd, 1941.

ALICE ELLIS)
VS) # 16426 Judgt. vs Deft. for $5.00 Per Week & $25.00 Attys. Fees.
FRANK ELLIS) J. D. 18, Page 225.

Come now the parties, and hearing is had on petition for temporary allowance.

The Court hearing the evidence, finds that the defendant should be ordered to pay to the plaintiff five dollars per week, first payment to be made September 15th, 1941, payments to be made to the Clerk of this Court for said plaintiff.

Said defendant, Frank Ellis, is also ordered to pay to the Clerk of this Court on or before the 26th day of September, 1941, $25.00 for attorney fees to Joseph S. Kaufman and C. V. Sears, attorneys for the plaintiff herein, in preparation of said cause for said plaintiff, Alice Ellis.

It is, therefore, considered, ordered and adjudged by the Court that the defendant, Frank Ellis, pay to the plaintiff, Alice Ellis, five dollars per week, first payment to be made September 15th, 1941, said payments to be made to the Clerk of this Court for said plaintiff.

It is further considered, ordered and adjudged by the Court that the defendant, Frank Ellis, is also ordered to pay to the Clerk of this Court on or before the 26th day 26th day of September, 1941, $25.00 for attorney fees to Joseph S. Kaufman and C. V. Sears, attorneys for the plaintiff herein, in preporation of said cause for said plaintiff.

RAYMOND RUSE ;)
ARTHUR McGLOTHLIN;)
ARTHUR McGLOTHLIN, GUARDIAN)
FOR KENNETH McGLOTHLIN)
VS) # 16075
GEORGE E. RUSE)
ELVA RUSE)
HENRY BRUNES)

Come now the parties, and oral argument is had on motion to strike out amended petition and motion of Constant C. Abeele to intervene, and for new trial.

Court takes matter under advisement.

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE CO., ETC., ET AL.)

Come now the parties, and oral argument is had on defendants' motion to require plaintiff to separate third amended complaint into paragraphs,

Court takes matter under advisement.

JULIA M. BROWN)
VS) # 16205
J. RAY MONAGHAN, ET AL.)

The Court's attention being called to his entry made herein on June 24th, 1941, finds that entry was made of the filing of a motion to make amended counter claim more specific, when such entry should have stated that said motion was to strike out parts of said amended counter claim. And that the entry made on 9-10-1941 herein the same error was committed by the use of the words more specific.

The Court now sets aside the entries made on 6-24-1941 and 9-10-1941 herein, and enters the filing of said motion correctly on this date.

Comes now the plaintiff, and files motion to strike out parts of defendants' amended counter claim June 18th, 1941.

And the Court being duly advised, now sustains said motion to strike out that part of said amended counter claim set out in said motion.

Plaintiff is ruled to reply to defendants' amended counter claim on or before September 20th, 1941.

SPEEDWAY STATE BANK)
VS) # 16476
EARL L. RAHM, ET AL.)

Comes now the plaintiff, and files affidavit for publication of notice to non-resident defendant, which affidavit is in the words and figures following,

to-wit: (H.I.).

The Court having seen and examined said affidavit and being sufficiently advised in its premises, now orders notice issued returnable November 12th, 1941, all as by law provided.

STATE OF INDIANA
HENDRICKS COUNTY SS.

IN THE HENDRICKS CIRCUIT COURT
SEPTEMBER TERM 1941

THELMA L. SHEPHERD
VS.
CLIFTON SHEPHERD

RULE TO SHOW CAUSE

Thelma L. Shepherd having this day filed in this court her verified information concerning the contempt of this court of Clifton Shepherd which is as follows, to wit, (H.I.):

STATE OF INDIANA
HENDRICKS COUNTY SS.

IN THE HENDRICKS CIRCUIT COURT
SEPTEMBER TERM 1941 Cause No._____

THELMA L. SHEPHERD
VS.
CLIFTON SHEPHERD

AFFIDAVIT OF INDIRECT CONTEMPT OF COURT

Thelma L. Shepherd, being duly sworn upon her oath, says that she was the plaintiff in the above cause of action, in the Hendricks Circuit Court; that in said cause, this defendant filed a cross complaint; That in said decree, said Clifton Shepherd was granted the custody of the two children, to wit: Jimmie Lee Shepherd and Larry Dee Shepherd, but which order further provided that this affiant should have the said children on the 1st and 3rd Saturdays of each and every month and to return said children to the home of said Clifton Shepherd by 6 P.M. on the following Sundays. Affiant would further say and show to this court, that in accordance with said order, she has gone to his home for the purpose of securing children, and that said defendant Clifton Shepherd refused to let her have them. That said defendant has wilfully, knowingly refused to obide the order of this Honorable Court.

Thelma L. Shepherd

Subscribed and sworn to before me this 13 of September 1941

John A. Kendall
State Representative

My Comm. expires 12-31-42

It is therefore ordered by this court that the said Clifton Shepherd be and appear in this court on 20th day of September, 1941 at 9:00 A. M. to show cause, if any, why he should not be attached and published for a contempt of court.

Horace L. Hanna
Judge of Hendricks Circuit Court

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 15th, 1941.

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

ORDER TO DRAW ADDITIONAL GRAND JURORS AND)
EMPANELLING ADDITIONAL GRAND JURORS FOR THE)
SEPTEMBER TERM, 1941.)

Because of the fact that W. H. Sayer, whose name was drawn on the Grand Jury for service in this term of court, and said person can not be found in Hendricks County, Indiana, the Court excuses said W. H. Sayer for jury service this term, and the Clerk of this Court is hereby ordered to convene the Jury Commissioners and in their presence draw from the jury box the name of one person for Grand Jury service.

And the Clerk is ordered to issue venire for the above named Grand Jurors to appear in this Court Tuesday, September 16th, 1941.

ORDER TO DRAW ADDITIONAL PETIT JURORS)
FOR THE SEPTEMBER TERM, 1941.)

By reason of the business of this Court and sickness of several jurors, who were heretofore drawn for Petit Jury service, the Court having excused for the term Phillip Wolfram, Elmer Hall, Jr. Elvin Willard, and Harold Mason, from jury service, and there may be other jurors who will have to be excused, the Clerk is further ordered to convene the Jury Commissioners and in their presence draw from the jury box the names of eight persons for Petit Jury service for this term.

ADDITIONAL GRAND AND PETIT JURORS DRAWN FOR THE SEPTEMBER TERM, 1941.

BE IT REMEMBERED, That on the 15th day of September, 1941, Thad J. Ryner and Harry G. Thomson 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 person for Grand Jury service at the September Term, 1941, of this court, viz:

1. Thomas Merritt Washington 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 September Term, 1941, of this court, viz:

1. Herman Cline	Middle	Twp.	5. Victor Underwood	Middle	Twp.
2. Orval Broadstreet	Franklin	Twp.	6. Russell Montgomery	Union	Twp.
3. Hershel Garner	Brown	Twp.	7. Thomas Rogers	Franklin	Twp.
4. Mrs. Inez Waters	Eel River	Twp.	8. Albert Sloan	Middle	Twp.

VIRGIL HURIN)
VS) # 16458
LEON BAYLISS)

Comes now the defendant and files answer in three paragraphs, which answer is in the words and figures following, to-wit: (H.I.).

MARY R. ELMORE)
VS) # 16474
ARTHUR A. ELMORE)

Comes now the defendant and appears specially and files plea in abatement, which plea in abatement is in the words and figures following, to-wit: (H.I).

POLAR ICE AND FUEL CO.)
VS) # 16365
ORAL McCAMMACK)

Comes now the plaintiff, by counsel, and files answers to defendant's interrogatories, which answers are in the words and figures following, to-wit: (H.I.).

The defendants are ruled to answer complaint herein on or before September 20th, 1941.

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

Come now the parties, in person and by counsel, and the plaintiff files answer in denial to defendant's Clark's counter claim, which answer is in the words and figures following, to-wit: (H.I.).

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: Marshall Eggers, Ralph Jones, Gertrude Hines, W. C. Zaring, Jr., Loren Gentry, Paul Christie, Robert Low, Judson Baxter, Fern Warrick, Stewart Fletcher, Virgil Denny and Carl Harvey, twelve good and lawful men and women, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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 duty during separation until 9:00 o'clock A. M., September 16th, 1941.

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

Horace R. Hanna, Judge.

Tuesday Morning, September 15th, 1941.

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

JOSEPH M. DUNCAN)
VS) # 16481
ANNABELLE DUNCAN)

Comes now the plaintiff, and files affidavit for notice to non-resident, which affidavit is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said affidavit and being sufficiently advised in its premises, now orders non-resident notice published as by law provided, returnable November 10th, 1941.

PEARL WILSON, ADMINISTRATRIX)
OF ESTATE OF LAURA M. GILLASPY)
VS) # 16318
WILLIS E. McCONNAHA)

Comes now the plaintiff, 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: (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, costs paid.

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

STATE OF INDIANA)
VS) # 8173
ALFRED EDWARDS)
CHESTER BLANTON)

Comes now the Clerk of the Supreme Court with the approval of the Supreme Court, and submits the following names from which to select a Judge to try this cause, to-wit: Honorable Edgar A. Rice, Crawfordsville, Indiana; Honorable Marshall D. Abrams of Greencastle, Indiana; and the Honorable Courtland C. Gillen of Greencastle, Indiana.

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

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

The jury is allowed to separate under proper instructions as to their duties during separation until September 17th, 1941, at 9:00 o'clock A. M.

APPOINTMENT OF GRAND JURY FOREMAN AND DISCHARGE
OF GRAND JURY FOR SEPTEMBER TERM, 1941.

Comes now the Grand Jury and said Grand Jury is now

duly empaneled and sworn and is duly instructed and charged by the Court in the following words and figures, to-wit: (H.I.). Thereon the Court appoints Fletcher McCalmet as foreman, and the Grand Jury retires to the jury room to enter upon their duties.

Comes now the Grand Jury and reports to the Court and presents and files three separate inditements and also their recommendations in reference to the Jail and County Home, all examined by the Court and delivered to the Clerk and ordered filed as provided by law.

Said Grand Jury further reports to the Court that they have completed their work as outlined for them to do under 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 said Grand Jury is now discharged.

CASSIUS P. CURTIS)
VS) # 15798
JOE R. BECKETT)

Plaintiff files answers to interrogatories numbered fifty-one and sixty-one, which answers are in the words and figures following, to-wit: (H.I.).

The defendant is ruled to answer complaint herein on or before September 23rd, 1941.

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 17th, 1941.

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

BETTY JANE HICKMAN)
VS) # 16374
INTERSTATE MOTOR FREIGHT)
SYSTEM, AND)
FRED MOHR.)

Comes now the plaintiff, and files motion to dismiss this cause with prejudice to the right of plaintiff to reinstate this cause of action or to sue on the controversy alleged in her complaint herein, 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 premises, now sustains said motion, and this cause is dismissed, costs paid.

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

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

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

Plaintiff at the close of all the evidence moves the Court to instruct the jury to find for the counter-claimant defendant on the counter claim herein, which is in the words and figures following, to-wit: (H.I.). The Court being duly advised, now overrules said motion, to which ruling of the Court the plaintiff and cross-defendant at the time objects and accepts.

Come now the defendants at the close of all the evidence, and tenders to the Court instructions numbered one to eleven, both inclusive, with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury. And now the Court indicates by written memorandum all instructions that will be given and all instructions that will be refused by the Court. The plaintiff herein does not tender to the court any instructions.

The Court indicates that it will not give any of the instructions tendered by the defendants herein, and the Court will refuse to give instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, tendered by the defendants.

The Court now tenders to the Court of its own motion, said instructions being numbered one to twenty-seven, both inclusive. Plaintiff nor the defendants do not object or except to any instruction tendered by the Court of its own motion.

Come now the defendants, at the close of the evidence and before the beginning of argument and after all instructions had been submitted and the Court had indicated which instructions it would give and which instructions it would refuse to give, and the defendants separately and severally now objects and excepts to the Court's refusal to give instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, tendered

by the defendants and which objections and exceptions and the reason for said objections and exceptions are in the following words and figures, to-wit: (H.I.).

And now this cause is presented to the jury in oral argument; and now the Court instructs the jury by giving to the jury of its own motion instructions numbered one to twenty-seven, both inclusive. And the Court refuses to give instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, tendered by the defendants.

Comes now the counter claimant, at the close of the evidence, and files and submits the following interrogatories numbered one to three, both inclusive, and asks the Court that the jury be required to answer same in connection with their general verdict, which interrogatories are in the words and figures following, to-wit: (H.I.). The Court being duly advised, now sustains said motion.

And now all instructions, including those tendered, given and refused, together with the Court's memorandum thereon, and the written objections and exceptions of the defendants are ordered filed, and filed, and ordered made and made, a part of the record in this cause, without a bill of exceptions.

And now the jury retires to deliberate upon its verdict and interrogatories.

Jury requests the Court to read the instructions to the jury a second time. Jury brought into Court and Court reads his instructions to the jury.

Jury retires to jury room to deliberate.

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 18th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

Now the jury returns into open court it's verdict in the following words and figures, to-wit:

STATE OF INDIANA — HENDRICKS CIRCUIT COURT,
HENDRICKS COUNTY, SS: — SEPTEMBER TERM, 1941.
Marion A. Ennis) — No.16327.
vs.)
Horace Bell) — VERDICT OF THE JURY.
Roy Clark)

We, the Jury, find for the plaintiff, and that he should recover herein the sum of $2650.00.

Paul K Christie
Foreman of the Jury.

The jury also returns into open Court it's answers to interrogatories as follows:

STATE OF INDIANA — IN THE HENDRICKS CIRCUIT COURT,
HENDRICKS COUNTY, SS: — SEPTEMBER TERM, 1941.
MARION A ENNIS)
vs.) — No. 16327.
HORACE BELL)
ROY CLARK) — INTERROGATORIES TO THE JURY.

Interrogatory No. 1. Was defendant, Roy Clark, an agent of Defendant, Horace Bell?

Answer: Yes

Interrogatory No. 2. Immediately before the accident did the plaintiff, Marion A. Ennis, have the last clear chance, as set out and defined in the court's instructions herein, to avoid the accident by slowing down?

Answer: No.

Interrogatory No. 3. Immediately before the accident, did the plaintiff have the last clear chance, as set out and defined in the court's instructions herein, to avoid the collission by going around to the right, using the shoulder of the road?

Answer: No

Paul K Christie
Foreman of the Jury.

Which verdict and answers to interrogatories are now received by the Court and filed.

The jury is now discharged from further duties in this cause.

HUGH V. SCHENCK)
VS) # 16375
METROPOLITAN LIFE INSURANCE)
CO. A CORPORATION)

Comes now the plaintiff, and files reply to defendant's answer to plaintiff's amended complaint, which reply is in the words and figures following, to-wit: (H.I.).

LESLIE B. HANES,)
BASIL PICKETT, D/B/A)
HANES AND PICKETT)
VS) #16462
HAROLD HOBSON)

Come now the plaintiffs, by counsel, and the defendants are ruled to answer complaint herein on or before September 29th, 1941.

MILDRED LOUISE HOPPER) Judgt. vs Deft. for $10.00 Per Week and $25.00
VS) # 16413 Atty. Fee.
ALVA ADRIAN HOPPER) J. D. 18, Page 225.

Comes now the plaintiff in person and by her attorney, Fred V. Thomas, and it appears to the court that the defendant has been served with summons more than ten days before the 12th day of July, 1941, the day endorsed on plaintiff's complaint as the return day thereof. And the defendant comes not and is now three times called in open court and wholly makes default.

George Hadley, Prosecuting attorney in and for Hendricks County now appears for the State and files answer. And evidence being submitted, the court finds for the plaintiff, that she is entitled to a divorce from the defendant Alva Adrian Hopper and the court further finds that the plaintiff and defendant are the parents of two children, Shirley May, age three (3) and Jacqueline Sue age twenty(20) months, and that plaintiff is entitled to the care and custody of said children.

The court further finds that the plaintiff is entitled to twenty-five ($25.00) as attorney fees to be paid to her attorney Fred V. Thomas within sixty days. The Court further finds that the costs of this proceeding in the sum of $14.55 have been paid.

It is therefore ordered adjudged and decreed that the bonds of matrimony heretofore existing between the plaintiff and defendant be and the same are now dissolved and the plaintiff is given an absolute divorce from the defendant and is given the custody, care and control of their children, Shirley May and Jacqueline Sue Hopper and the defendant is ordered and decreed to pay to the clerk of the Hendricks Circuit Court the sum of Ten ($10.00) Dollars per week for the support of said children until the further order of the court, payments to begin September 17, 1941, and each Wednesday thereafter. It is further ordered and decreed that the defendant pay to the clerk of this court Twenty-five ($25.00) Dollars to Fred V. Thomas, plaintiff's attorney.

STATE OF INDIANA)
VS) #8157
JACK ADAMS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi this cause, which motion is in the words and figures following, to-wit: (H.I.).

Motion heard aloud in open court, 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) # 8158 Judgt. vs Deft. for $5.00 Fine & Costs.
EMMA ADAMS) J. D. 18, Page 226.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in person and by counsel, and now the Court overrules motion to quash. Now the defendant withdraws her plea of not guilty to count one and enters her plea of guilty.

It is, therefore, adjudged by the Court that the defendant for the offense committed shall be and she is fined five dollars and shall pay the costs of this action, and said defendant is given three weeks in which to pay said fine and costs, and is allowed to go on her own recognizance for said three weeks.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi court two herein, which motion is in the words and figures following, to-wit: (H.I.).

Motion read aloud in open court, and Court being duly advised, now sustains said motion, and count two is dismissed.

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

STATE OF INDIANA)
VS) # 8156 Judgt. vs Deft. for $25.00 Fine & Costs.
JACK ADAMS) J. D. 18, Page 226.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in person and by Milton Siegel and John A. Kendall, his attorneys, and the Court having had under advisement ruling on motion to quash, now overrules said motion, to which ruling of the Court the defendant objects and excepts.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in person and by his attorneys, Milton Siegel and John A. Kendall, and the cause being at issue, the defendant now waives his right to a jury.

This cause is now submitted to the Court for trial, finding and judgment without the intervention of a jury.

Evidence is heard, and at the completion of the evidence by the State, the defendant moves the Court to discharge the defendant. Argument is had on said motion, and the Court now overrules the motion to discharge the defendant.

Evidence is continued and completed, and at the close of all the evidence, the defendant moves the Court to discharge the defendant, giving reasons there-

for (copied by the reporter). The Court being duly advised, now overrules said motion and argument of counsel is had, and the Court finds that the defendant, Jack Adams, is guilty as charged.

It is, therefore, adjudged by the Court, that said defendant, Jack Adams, for the offense by him committed shall be and he is fined twenty-five 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 operator's automobile license of said defendant shall be suspended for fifteen days and that the Clerk of this Court shall forward certified copy of this judgment to 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, September 19th, 1941.

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

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

IN THE HENDRICKS CIRCUIT COURT
SEPTEMBER TERM, 1941

ENTRY

Comes now the State of Indiana by George W. Hadley, Prosecuting Attorney of the 55th Judicial Circuit and files written motion requesting the court to direct the Clerk of the Hendricks Circuit Court to issue to the Sheriff of Hendricks County, State of Indiana warrants of arrest immediately on the indictments found and presented by the Grand Jury of Hendricks County State of Indiana on the 16th day of September, 1941, returnable forthwith, which motion is in words and figures as follows, to-wit: (H.I.).

And the court having seen and examined said motion and being duly advised in the premises does now sustain said motion and the Clerk of the Hendricks Circuit Court is directed to issue immediately warrants of arrest to the Sheriff of Hendricks County, State of Indiana on each of the indictments found and presented by the Grand Jury of Hendricks County, State of Indiana on the 16th day of September, 1941, returnable forthwith.

Horace L. Hanna
Judge.

DON J. GOOD)
VS) # 16442
H. C. BROADSTREET,)
(WHOSE CHRISTIAN NAME)
IS UNKNOWN.))

Comes now the defendant, by counsel, and files motion to require plaintiff to make complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

POLAR ICE AND FUEL CO.)
VS) # 16365
ORAL McCAMMACK)

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

MABLE BAILEY)
VS) # 16475 ENTRY
HAROLD E. BAILEY)

Comes now the defendant, Harold E. Bailey, and files his verified petition for the care, custody and control of his children, pending the final decree in said cause, which petition is as follows, to wit, (H.I.).

The court having read said petition and being duly advised therein now sets the same for hearing of said court on September 26, 1941 at 9:00 a.m.

It is therefore ordered by the court that a hearing be had on the matter and things set forth in said petition on September 26, 1941 at 9:00 a.m. at the

court room in Danville, Indiana.

Horace L. Hanna
Judge Hendricks Circuit Court.

GERTRUDE M. McCORD)
VS) # 16473
ERNEST O. McCORD, ET AL.)

Comes now the defendant, Union Trust Company, by counsel, and files answer in two paragraphs, which answer 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 L. Hanna, Judge.

Saturday Morning, September 20th, 1941.

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

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) # 16397
THE PENNSYLVANIA)
RAILROAD COMPANY)

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

CLAUDE THOMPSON)
VS) # 16065
CITY OF INDIANAPOLIS,)
ET AL.)

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

JULIA M. BROWN)
VS) # 16205
J. RAY MONAGHAN, ET AL.)

Comes now the plaintiff, by counsel, and files motion to make amended counter claim more specific, 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 premises, now overrules said plaintiff's motion filed September 20th, 1941, to make amended counter claim more specific, to which ruling of the Court the plaintiff objects and excepts.

Plaintiff is ruled to reply to defendants' counter claim on or before October 1st, 1941.

(ALBERT E. UHL, EXECUTOR OF)
THE ESTATE OF LETHA R.)
HUBINGER, DECEASED.)
VS) 16324
THE HOME INSURANCE COMPANY)
OF NEW YORK.)

The defendant is ruled to answer complaint herein on or before September 29th, 1941.

Marshall D. Abrams
Marshall D. Abrams, Special Judge.

STATE OF INDIANA, ON THE REALTION OF)
LUTHER F. SYMONS, BANK COMMISSIONER)
OF INDIANA.)
VS) # 13635
HUNTER BANK)

Comes now the receiver, and files proof of publication of notice of sale of all notes and judgments not paid or compromised being remaining assets not collected by said receiver of said Hunter Bank, which notice and proof of publication thereof is in the following words and figures, to-wit: (H.I.).

ULA GREEN)
VS) # 15810 Judgt. vs Pltf. for Costs.
JOHN PROCTOR, ET AL.) J. D. 18, Page 226.

Comes now the defendant, and this cause having heretofore been set for trial at this date and having been duly reached in its regular order, and plaintiff failing to appear, the defendant moves the Court to dismiss said cause.

The plaintiff being three times audibly called in open Court, comes not but herein wholly makes default.

The Court now sustains said motion, and this cause is now 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, Ula Green, is ordered to 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 22nd, 1941.

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

STATE OF INDIANA)
VS) # 8159
PAT ROACH)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi and dismiss this cause, which motion is now read aloud in open court 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 SS. IN THE HENDRICKS CIRCUIT COURT
HENDRICKS COUNTY SEPTEMBER TERM 1941

THELMA L. SHEPHERD
VS. RULE TO SHOW CAUSE
ROY B. SHEPHERD

Thelma L. Shepherd having this day filed in this court her verified information concerning the contempt of this court of Roy B. Shepherd which is as follows, to wit, (H.I.).

STATE OF INDIANA SS. IN THE HENDRICKS CIRCUIT COURT
HENDRICKS COUNTY SEPTEMBER TERM 1941 CAUSE NO. 15788

THELMA L. SHEPHERD
VS. AFFIDAVIT OF INDIRECT CONTEMPT OF COURT
ROY B. SHEPHERD

Thelma L. Shepherd, being duly sworn upon her oath, says that she was the plaintiff in the above cause of action, in the Hendricks Circuit Court; that in said cause, this defendant filed a cross complaint; That in said decree, said Roy B. Shepherd was granted the custody of the two children, to wit: Jimmie Lee Shepherd and Larry Dee Shepherd, but which order further provided that this affiant should have the said children on the 1st and 3rd Saturdays of each and every month and to return said children to the home of said Roy B. Shepherd by 6 p.m. on the following Sundays. Affiant would further say and show to this court, that in accordance with said order, she has gone to his home for the purpose of securing children, and that said defendant Roy B. Shepherd refused to let her have them. That said defendant has wilfully, knowingly, refused to obide the order of this Honorable Court.

Thelma L. Shepherd

Subscribed and sworn to before me this 20 day of September, 1941.

John A. Kendall
State representative

My Comm. expires 12-31-42

It is therefore ordered by this court that the said Roy B. Shepherd be and appear in this court on 27th day of September, 1941 at 1:30 p.m. to show cause, if any, why he should not be attached and punished for a contempt of court.

Horace L. Hanna
Judge Hendricks Circuit Court

STATE OF INDIANA)
VS) # 8185
LEWIS TANNER)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty.

Bond is fixed for the defendant at $2,500.00.

STATE OF INDIANA ON THE)
RELATION OF LUTHER SYMONS,)
BANK COMMISSIONER OF INDIANA)
VS) # 13635 ORDER AUTHORIZING RECEIVER TO SETTLE NOTES
HUNTER BANK)

Charles B. Davison, receiver of the Hunter Bank, Brownsburg, Indiana having this day filed his verified petition to settle certain notes owing the said Hunter Bank, which verified 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 for the receiver and that the contents thereof are true and correct and that it is to the best interest of said receivership that all of said notes described in said petition be settled and compromised as prayed for.

It is, therefore, ordered and said receiver is hereby given authority to compromise on note for $5.00 given by Mellisia Y. Byers: One note for the sum of $25.00 given by R. Byers Parkhurst and W. E. Parkhurst: One note in the sum of $50.00 signed by W. E. Parkhurst, for the total sum of $10.00.

That the note signed by Albert Wethington upon which there is a balance due of $15.00 be settled and compromised by said receiver for $7.50.

That the notes owing by Elsie McCoun in the sum of $105.00 be settled and compromised for the sum of $5.00.

STATE OF INDIANA ON THE)
RELATION OF LUTHER SYMONS,)
BANK COMMISSIONER OF INDIANA)
VS.) # 13635 ORDER APPROVING THE RETURN OF NOTE
HUNTER BANK)

Charles B. Davison, receiver of the Hunter Bank, Brownsburg, Indiana having filed his duly verified petition to return a certain note and cancel the obligations to Dr. Earl Ferree, which petition is of the following words and figures, to wit, (H.I.).

The court having read said petition, including petitioners Exhibit "A" and being duly advised therein now finds for the petitioners and that it is to the best interest of said trust that the obligation represented by said note be canceled and that the receiver be given credit for the amount for which he is charged and that said note be returned to Dr. Earl Ferree.

It is therefore ordered that said receiver return said note to Dr. Earl Ferree and that said obligation for which said note was given be canceled.

Done this 22 day of September, 1941.

JOHNS MANVILLE CREDIT CORPORATION)
VS) # 15671
VERN LA RUE SEATON)

Comes now the plaintiff respondent, and files motion to dismiss petitioner's verified petition for Writ of Error Coram Nobis, which motion is in the following words and figures following, to-wit: (H.I.).

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE CO.,)
ETC., ET AL.)

Comes now the plaintiff, by counsel, and the Court being duly advised, now overrules defendant's motion to require plaintiff to separate third amended complaint into paragraphs, to which ruling of the Court the defendants object and except.

The defendants are ruled to answer third amended complaint on or before September 29th, 1941.

DELIA MORAN)
VS) # 16082
FRANK PERKINS)
FLORA PERKINS)
HENDRICKS COUNTY WELFARE ASSN.)

Comes now the plaintiff, and moves the Court for an order for alias summons to be issued to the Sheriff of Marion County, Indiana, to be served on the defendant, Flora Perkins, said summons to be returnable October 10th, 1941. The Court being duly advised, now orders alias summons to be issued to the Sheriff of Marion County, Indiana, to be served on the defendant, Flora Perkins, said summons to be returnable October 10th, 1941.

STATE OF INDIANA, EX REL)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Comes now the plaintiff, by counsel, and files interrogatories number one to six, both inclusive, and asks that the defendant, William Ray Rainwater, be required to answer same, which interrogatories are in the words and figures following, to-wit: (H.I.).

The defendant, William Ray Rainwater is ruled to answer interrogatories on or before October 4th, 1941.

All defendants are ruled to answer complaint herein on or before October 4th, 1941.

STATE OF INDIANA)
VS) # 8182 Judgt. vs Deft. for $25.00 Fine & Costs.
JAMES OLMSTEAD) J. D. 18, Page 226.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, James Olmstead, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of retention without consent of owner.

It is, therefore, adjudged by the Court that said defendant, James Olmstead, for the offense by him committed shall be and he is fined twenty-five dollars and shall pay the costs of this action, taxed at _____dollars and _____ cents.

PAT SHAHAN, ETC.)
VS) # 15151 Judgt. vs Pltf. for Costs.
OMER LEATHERS, ET AL.) J. D. 18, Page 227.

This cause having heretofore been set for trial at this date, and the plaintiff failing to appear, the plaintiffs are each three times loudly called in open Court and come not and each wholly make default.

The Court of its own motion, now dismisses this cause 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, Pat Shahan, Owner Doing Business Under The Trade Name of the Lizton Grain & Lumber Company, at Lizton, Indiana, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

EARNEST GRAY)
VS) # 15150 Judgt. vs Pltf. for Costs.
HARRY SWAIN, ET AL.) J. D. 18, Page 227.

This cause having heretofore been set for trial at this date and the plaintiff failing to appear, the plaintiff is now three times loudly called in open Court but comes not and herein wholly makes default.

The Court of its own motion, now dismisses this cause 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, and the plaintiff, Earnest Gray, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

OMER LEATHERS)
VS) # 15149 Judgt. vs Pltf. for Costs.
EARNEST GRAY, ET AL.) J. D. 18, Page 227.

This cause having heretofore been set for trial at this date and having been duly reached in its regular order, the parties failing to appear, the Court now orders plaintiff to be three times loudly called in open court, and he failing to appear; wholly makes default and the Court of its own motion now dismisses this cause for want of prosecution 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, Omer Leathers, is ordered to 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 R. Hanna, Judge.

Tuesday Morning, September 23rd, 1941.

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

AMERICAN OIL COMPANY)
VS) # 16265 ENTRY
J. P. FRANCIS)

Comes now the plaintiff by their attorney, John A. Kendall, and filed verified petition praying for order for judgment debtor and third party to appear and answer, which petition is of the following words and figures, to wit: (H.I.)

The court having read the same, now orders said J. P. Francis to appear in said court October 11, at 9 A.M. 1941, and also the third party, to wit: The Big Four Railroad corporation, by its agents and officers, and order notices served on said respective parties, as follows, to wit: on J. P. Francis, by the Sheriff of Hendricks County; On the Big Four Railroad Corporation by the sheriff of Marion county, Indiana, all to appear on October 11, 1941 at 9 A. M.

AMERICAN OIL COMPANY) ORDER FOR JUDGMENT DEFENDANT J. P.
VS) CAUSE NUMBER -- 16265 FRANCIS AND THIRD PARTY BIG FOUR RAIL-
J. P. FRANCIS) ROAD CORPORATION TO APPEAR AND ANSWER

Comes now the plaintiff in the above entitled cause and by their attorney, John A. Kendall, of Danville, Indiana files his duly verified petition and affidavit showing that the said above named defendant J. P. Francis had judgment rendered against him in this court on April 5, 1941 for the sum of $115.14: that there after execution was issued to the Sheriff of Hendricks County, Indiana, which execution was returned wholly unsatisfied and that said judgment was founded upon a debt secured by mortgage upon reality or upon a contract of sale of personal property the title to which did not pass at the time of sale and that the Big Four Railroad Corporation has property, by its duly appointed and qualified acting officers do to the said judgment defendant from time to time and in such an amount as is not exempt from execution by law, and that said judgment defendant has property in earnings as an employee of the said Big Four Railroad Corporation in an amount which exceeds an amount exempt from execution by law, and prays an order of this court for said defendant J. P. Francis and the Big Four Railroad Corporation, by its duly appointed qualified acting officers, to appear and answer concerning property of said judgment defendant in excess of the amount exempt from execution as by law provided, in this court on the 11 day of Oct, 1941 at 9:00 a.m.

The court having examined said petition and being advised therein in the premises, now finds that the alligations thereof are true and that the prayer thereof should be granted.

IT IS THEREFORE ORDERED that said judgment defendant J. P. Francis and the Big Four Railroad Corporation by its duly appointed and qualified officers and agents of Indianapolis, Indiana to appear before this court on the 11 day of October, 1941 at 9:00 a.m. then and there to answer concerning any property of said judgment defendant J. P. Francis which neither of them may have in an amount not excess to the amount exempt from execution by law. Dated this 23rd day of December, 1941.

GLEN A. PEFLEY)
VS) # 16445
LILLIE PEFLEY)

Comes now the defendant, and files answer to complaint herein, which answer is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 8185
LEWIS TANNER)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in person and by his attorney, John A. Kendall, and said defendant files verified petition for reduction of bond, and asks that said bond be reduced or lowered to one thousand dollars cash bond, which petition is in the following words and figures, to-wit: (H.I.).

Evidence is now heard on said petition, and the Court finds that said bond should be lowered to one thousand dollars cash bond, and now fixes said bond at one thousand dollars cash bond.

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 24th, 1941.

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

ALBERT BUCHANAN)
VS) # 16376
FRED J. McDERMOTT)

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: (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, costs paid.

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

JACOB A. LAYTON)
VS) # 16145 Judgt. vs Pltf. for Costs.
HERRIET MANERS) J. D. 18, Page 228.

The Court being duly advised, now sustains motion of the defendant, Public Welfare of Hendricks County, Indiana, to dismiss this cause at the cost of the plaintiff, heretofore filed, to which ruling of the Court the plaintiffs object and except, 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, Jacob A. Layton, is ordered to pay the costs of this action, taxed at _____dollars and _____ cents.

THOMAS A. DUKE)
VS) # 16460
JENNIE A. BONNER)
THE PRUDENTIAL INSURANCE)
CO. OF AMERICA)

Comes now the defendant, Jennie A. Bonner, by counsel, and files answer in three paragraphs, which answer is in the words and figures following, to-wit: (H.I.).

The plaintiff is ruled to reply to paragraphs two and three.

EDGAR M. BLESSING)
VS) # 16427
BERTHA LOCKHART CHRISTIE)

The defendant is ruled to answer complaint herein on or before October 4th, 1941.

STATE OF INDIANA ON THE)
RELATION OF LUTHER SYMONS,)
BANK COMMISSIONER OF INDIANA)
VS) # 13635 ORDER AUTHORIZING SETTLEMENT AND
HUNTER BANK) COMPROMISE OF NOTES.

Charles B. Davison, receiver of Hunter Bank having filed his verified petition praying therein for an order authorizing him to settle and compromise the notes of Edgar Huffard and Marshall Huffard also the note of O. A. Robinson on which John Fox is surety, 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 for the receiver and that the prayer of said petition should be granted.

It is, therefore, ordered that said receiver settle and compromise the six notes given by Edgar Huffard and the one note given by Marshall Huffard for the sum of $5.00. It is further ordered that said receiver compromise the note of O. A. Robinson on which John Fox is surety for the sum of $5.00.

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 25th, 1941.

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

HOME LUMBER CO.)
VS) # 16277
CHARLES F. TUCKER)
HELEN CLAIRE TUCKER)
BERNICE SHIRLEY)

Comes now the defendant, Bernice Shirley, and files motion to quash the affidavit for non-residence notice, the order for non-residence notice and proof of publication, which motion is in the words and figures following, to-wit: (H.I.).

DON J. GOOD)
VS) # 16442
H. C. BROADSTREET,)
(WHOSE CHRISTIAN NAME)
IS UNKNOWN.))

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

The defendant is ruled to answer amended complaint on or before October 7th, 1941.

STATE OF INDIANA)
VS) # 8176
HERBERT SHEPHERD)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty.

The Court being duly advised, and the defendant paying $8.00 into the Clerk's Office for the use of his children said sum to be paid by the Clerk to Gladys Moore, mother of said children, and promising the Court to appear herein for hearing of this cause on the 9th day of October, 1941, at 9:00 o'clock A. M., defendant is allowed to go on his own recognizance until October 9th, 1941, at 9:00 o'clock A. M.

MARY GIBBS)
VS) # 16151 RULE TO SHOW CAUSE
CLARENCE GIBBS)
470 So. Meridian St.,
Indianapolis, Ind.

Comes now Mary Gibbs, plaintiff, and files her verified information, which is in words and figures as follows: (H.I.) from which it appears that on the 18th day of January, 1941, in the town of Danville, County of Hendricks, State of Indiana, this court while in session, did by judgment duly rendered in cause No. 16151 entitled Mary Gibbs vs. Clarence Gibbs, order and direct the defendant Clarence Gibbs to pay to the Clerk of the Hendricks Circuit Court the amount of $7.50 per week for the support and maintenance of

defendant's seven minor children; that the custody of said children was then and there awarded to the plaintiff, Mary Gibbs.

That the defendant has failed, neglected, and refused to comply with said order of this court and is now deliquent and in arrears in said payments in the amount of $150.00. And plaintiff prays the court that the defendant be notified to appear before the court on the 11th day of October, 1941 at 9:00 o'clock A.M. to show cause why he should not be punished for contempt of court for not obeying and carrying out said order.

It is therefore ordered by the court that the said defendant, Clarence Gibbs, be and appear in the Hendricks Circuit Court at the courthouse in the town of Danville, Hendricks County, Indiana, on the 11th day of October, A.D., 1941 at 9:00 A.M. of said date to show cause, if any he may have, why he should not be attached and published as for contempt of court. It is further ordered that the above and foregoing notice and rule to show cause be issued by the Clerk of this Court to the Sheriff of Marion County, Indiana, and served on the defendant, Clarence Gibbs, by the Sheriff of Marion County, Indiana.

Horace L. Hanna
JUDGE OF THE 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, September 26th, 1941.

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

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE CO.,)
ETC., ET AL.)

Come now the defendants, and file motion to require plaintiff to make his third amended complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

GEORGE ISENHOWER, A MINOR, BY)
HIS NEXT FRIEND ANNA ISENHOWER)
VS) # 16469
GEORGE DAVIS, A MINOR, ET AL.)

The defendant is ruled to answer on or before October 10th, 1941.

MABLE BAILEY)
VS) # 16475 ORDER AWARDING CUSTODY OF
HAROLD E. BAILEY) CHILDREN PENDING ACTION

Comes now the plaintiff in person and by her attorney John T. Hume and comes now the defendant in person and by his attorney John A. Kendall and the plaintiff having filed an affidavit for support and custody of children pending final action of this cause and the defendant likewise having filed a petition for custody of children pending final action of this cause, which plaintiff's petition and defendant's petition are of the following words and figures, to wit, (H.I.): The court having heard the evidence and argument of counsel and being duly advised therein: orders the custody of said children, to wit, Patricia Ann Bailey and Charles Andrew Bailey be given to the defendant herein from Monday morning of each week until further ordered by the court, between the hours of 9:00 and 10:00 A. M. until Saturday evening between the hours of 7:00 and 8:00 P. M.: That the plaintiff have the care and custody of said children from Saturday evening until Monday morning between the hours of 9:00 and 10:00 A.M.: That said defendant will deliver said children to this plaintiff at her residence near Danville, Indiana on each Saturday evening between the hours of 7:00 and 8:00 P.M. and will call for said children the following Monday morning between the hours of 9:00 and 10:00 A. M., and that said plaintiff will surrender the children to him at said time. That both plaintiff and defendant will use their best efforts to see that said children are comfortably cared for during the times they have said children. That a reasonable attorney fee for plaintiff's attorney is $35.00.

It is, therefore, ordered that the custody of said children, Patricia Ann Bailey and Charles Andrew Bailey, be awarded to the defendant herein from Monday morning, between the hours of 9:00 and 10:00 A.M. until the following Saturday between the hours of 7:00 and 8:00 P. M. of each and every week until further order of court: That the care and custody of said children be awarded to the plaintiff on Saturday evenings between the hours of 7:00 and 8:00 P. M. until the following Monday mornings between the hours of 9:00

and 10:00 A. M. That said defendant will deliver said children to plaintiff on Saturday evening and will call for said children on the following Monday morning between the hours of 9:00 and 10:00 A.M. and that said plaintiff will surrender to him said children. That said defendant shall be entitled to said children on Monday morning September 29, 1941, all of until further order of court. That defendant will pay plaintiff's attorney fee of $35.00.

ALICE ELLIS)
VS) # 16426
FRANK ELLIS)

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

ALICE ELLIS)
VS) CAUSE NO. 16426 DECREE Judgt. vs Deft. for $150.00 Alimony, $50.00 Atty. Fee and Costs.
FRANK ELLIS) J. D. 18, Page 228.

Come now the parties herein, Alice Ellis, Plaintiff herein, in person and by counsel Joseph S. Kaufman and C. V. Sears, and Frank Ellis, Defendant herein, in person and by counsel George Hoffman, and this cause being at issue is now submitted to the Court for trial on plaintiff's complaint filed herein and defendant's cross-complaint, it appearing to the satisfaction of the court that the defendant herein was duly served with summons.

And the court having heard the evidence, and being fully advised in the premises, finds for the plaintiff Alice Ellis that she is entitled to a decree of divorce from the defendant on the grounds alleged in her complaint and that her former name of Alice Cornett be restored to her, and that the plaintiff is entitled to a judgment of alimony in the sum of $150.00 and certain personal property hereinafter set forth, and that defendant be ordered to pay the sum of fifty dollars ($50.00) attorney fee to plaintiff's attorneys herein, and that plaintiff is entitled to recover costs herein, the said personal property being as follows: All dishes, including glasses, knives and forks, Dinette Set (table and 4 chairs) Kitchen Cabinet, Utility Cabinet and Porcelain Table.

And the court finds against the Cross-Complainant on his cross-complaint.

IT is therefore, considered and adjudged by the court that the bonds of matrimony existing between plaintiff and defendant be dissolved and the plaintiff be and she is hereby granted an absolute divorce, that the plaintiff recover of the defendant as alimony the sum of $150.00, that defendant is hereby ordered to pay the sum of fifty dollars for plaintiff's attorney fee herein for the use and benefit of Joseph S. Kaufman and Charles V. Sears, to be paid into the Clerk's office of this court on or before 60 days from this date. It is further ordered by this court that the defendant turn over to plaintiff the following personal property which is to be hers absolutely: All dishes, including glasses, knives and forks, Dinette Set (table and 4 Chairs) Kitchen Cabinet, Utility Cabinet and Porcelain Table.
Plaintiff's former name, Alice Cornett, is hereby restored to her.
It is further considered and adjudged by the court that the defendant herein is not entitled to a divorce on his cross-complaint filed herein, and divorce is denied him, judgment for plaintiff Alice Ellis on said cross-complaint.

It is further adjudged that the defendant pay the court costs herein. Judgment for alimony in the sum of $150.00 is hereby granted plaintiff vs. defendant as above set forth.

Dated this 26" day of September 1941.

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 27th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

IN THE MATTER OF THE PETITION)
OF GEORGE A. NASH ET AL. FOR THE)
REPAIRING, STRAIGHTENING, BUILDING) CAUSE NO. 14456
TILE AND COVERING THE CHRISTOPHER) ORDER
TRUCKSESS DITCH IN LINCOLN TOWNSHIP)

Comes now Archie J. Kahl and files petition herein for the court to allow attorneys fees in this cause, and to designate the amount thereof that should be paid to himself and the amount that should be paid to Harney F. Semones.

And the court having seen and read said petition and being duly advised in the premises finds that there should be a total fee allowed for attorneys in this cause in the amount of Four Hundred Fifty ($450.00) Dollars and that it should be divided 1/3 to the estate of Harney F. Semones and 2/3 to Archie J. Kahl.

It is therefore considered and adjudged by the court that the attorneys fee in the above cause shall be Four Hundred Fifty ($450.00) Dollars and the estate of Harney F. Semones shall be entitled to One Hundred Fifty ($150.00) Dollars and Archie J. Kahl shall be entitled to Three Hundred ($300.00) Dollars.

HARRY SCHWAB)
VS) # 16253
GEORGE LAMB)

Comes now the defendant, by counsel, and files answer to complaint herein, which answer is in the words and figures following, 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.

Evidence and argument of counsel are heard, and the Court takes this matter under advisement.

BERNICE SPENCER)
VS) # 16441
HERBERT J. STEDFELD)

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

EDNA CLAY McCRACKEN)
VS) Cause No. 16433 - Divorce Decree.
WILLIAMS W. McCRACKEN.)

Comes now the plaintiff in person and by counsel and it appearing to the Court that the defendant, Williams W. McCracken, has been served with summons by the sheriff of Morgan County, Indiana, more than ten days before the return day fixed by endorsement on plaintiff's complaint, all as shown by the writ of summons and the said sheriff's endorsement thereon, which writ of summons and sheriff's endorsement thereon

are in the following words and figures, to wit: (Here Insert).

And it also appearing to the court that more than sixty days have elapsed since the said defendant was served with notice herein, it now assumes jurisdiction herein for the purposes of trial, finding, judgment and decree. And now, upon motion of the plaintiff this cause is submitted to 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 for the 55th Judicial District appears and defends in said action.

And the court, having heard the evidence adduced by the plaintiff in support of the allegations contained in her complaint, and being fully advised and informed in the premises, finds for the plaintiff that she is entitled to a divorce from the defendant on the grounds set forth in her complaint, and further that plaintiff is entitled to have her former name of Edna Clay Hudson restored to her.

It is therefore ordered, adjudged and decreed by the court that the bonds of matrimony heretofore existing between plaintiff and defendant be and they are hereby dissolved and set aside and the plaintiff is now given hereby an absolute divorce from the defendant, Williams W. McCracken.

It is also adjudged by the court that the name of Edna Clay Hudson be restored to her, all at her costs, which costs are now paid.

HELEN IRENE DORSETT)
VS) # 16373
WILEY C. DORSETT)

Comes now the plaintiff, in person and by counsel, and shows to the Court the summons and the return thereon, which summons was duly issued to the Sheriff of Hendricks County, Indiana, and served on the defendant herein, 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 more than ten days before the 24th day of May, 1941, at which time said cause was made returnable by written endorsement on plaintiff's complaint herein, and which endorsement was duly signed by plaintiff's attorney herein. 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.

Comes now George W. Hadley, Prosecuting Attorney for this Judicial District, and enters his appearance herein and files answer in denial of said petition, which answer is in the words and figures following, to-wit: (H.I.).

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 finds for the plaintiff that the allegations of her complaint herein are true and that the plaintiff is entitled to an absolute divorce from the defendant.

The Court further finds that the property rights have been duly adjusted as shown in contract made between the parties, which is in the words and figures following, to-wit: (H.I.), and that the costs of this action have been duly paid.

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

It is further considered, ordered and adjudged by the Court that the property rights have been duly adjusted as shown in contract made between the parties, and that the costs of this action have been duly paid.

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 29th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

WILLIAM E. HUSTON)
VS) # 16491
CHARLOTTE C. HUSTON)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA) IN THE HENDRICKS CIRCUIT COURT
) SS:
HENDRICKS COUNTY) SEPTEMBER TERM, 1941.

GLADYS ROGERS) (This entry is as of October 1st, 1941.)
VS)
LEON ROGERS)
_____)
_____)
LEON ROGERS)
Cross-Complainant)
vs)
GLADYS ROGERS)
Cross-Defendant)

Temporary

RESTRAINING ORDER.

Comes now the above named defendant and cross-complainant and files his cross-complaint herein asking that he be granted a divorce from said plaintiff and Cros-defendant, which cross-complaint is in words and figures following to-wit; (H.I.) said defendant and cross-complainant, also files his verified petition asking for the care and custody of their said children during the pendency of this action, which verified petition 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 said petition should be granted and said restraining order issued.

It is therefore, hereby ordered by the court that said defendant and cross-complainant, Leon Rogers, have, and he is hereby given the care, custody and control of the three children to-wit: James Eather Rogers, Charles Rogers and Patricia Ann Rogers and said plaintiff and cross-defendant is hereby restrained from, in any way, interfering with the said Leon Rogers in exercising the control and in having the custody of said children, and said Gladys Rogers is further restrained from, in any way, giving orders concerning where said children shall stay, or who shall care for them and she is further restrained from entering into any arrangement with any party or parties for their care and attention, and she is also restrained from entering upon the premises, or entering the home of said defendant and cross-complainant, or in any way, or at any other place interfering with said Leon Rogers in exercising the care, custody and control of said children, all until the further order of the court.

It is further ordered by the court that a copy of this order be served upon said plaintiff and cross-defendant, when her residence or whereabouts can be ascertained, and the Clerk is hereby directed to issue a copy of this order to the Sheriff of the County

whereever she is found to be, upon praecipe and information filed with the Clerk by the said defendant and cross-complainant, and ten days notice given when this verified petition and restraining order is set for hearing.

Horace L. Hanna,

Judge 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, September 30th, 1941, and the 26th day of the September Term, 1941.

Tuesday Morning, September 30th, 1941.

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

JAMES J. COYNE)
VS) # 16492
INDIANAPOLIS UNION RAILWAY CO.)
BELT RAILROAD AND STOCKYARDS CO.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are 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, October 1st, 1941, and the 27th day of the September Term, 1941.

Wednesday Morning, October 1st, 1941.

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

PAUL H. RICHARD)
VS) # 16493
GILBERT HAHN)
MARIE HAHN)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 2nd, 1941.

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

GENEVA McNICHOLL)
VS) #16494
ADOLPH SCHRAM)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 3rd, 1941.

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

McCORMICK LUMBER CO., INC.)
VS) # 16456
PATRICK J. WALSH)
DELIA WALSH)

Come now the defendants, and file answer to complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

THOMAS A. DUKE)
VS) # 16460
JENNIE A. BONNER)
THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA)

Comes now the plaintiff, and files demurrer to defendant's 1st paragraph of answer, which demurrer is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA, EX REL)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Comes now the defendant, William Ray Rainwater, and files answer to interrogatories one to six, both inclusive, which answers are in the words and figures following, to-wit: (H.I.).

Come now the defendants, and file motion to make amended complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

EDGAR M. BIESSING)
VS) # 16427
BERTHA LOCKHART CHRISTIE)

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

BEN SACKS, ETC.)
VS) #16307
USED CAR FINANCE CO.,)
ETC., ET AL.)

The Court being duly advised, now overrules defendants' motion to make third amended complaint more specific, heretofore filed, and the defendants are ruled to answer complaint herein on or before October 8th, 1941.

Friday, October 3rd, 1941, and the 29th day of the September Term, 1941.

POLAR ICE & FUEL CO.)
VS) # 16365
ORAL McCAMMACK)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

WILLIAM E. HUSTON)
VS) # 16491
CHARLOTTE C. HUSTON)

The Court fixes time for hearing petition for temporary allowance October 18th, 1941, and notice is ordered issued accordingly.

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

Horace L. Hanna, Judge.

Saturday, October 4th, 1941, and the 30th day of the September Term, 1941.

Saturday Morning, October 4th, 1941.

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

STATE OF INDIANA SS. IN THE HENDRICKS CIRCUIT COURT
HENDRICKS COUNTY SEPTEMBER TERM 1941
THELMA L. SHEPHERD
VS. RULE TO SHOW CAUSE
ROY B. SHEPHERD

Thelma L. Shepherd having this day filed in this court her verified information concerning the contempt of this court of Roy B. Shepherd which is as follows, to wit, (H.I.).

STATE OF INDIANA SS. IN THE HENDRICKS CIRCUIT COURT
HENDRICKS COUNTY SEPTEMBER TERM 1941
CAUSE NUMBER 15788
THELMA L. SHEPHERD
VS. AFFIDAVIT OF INDIRECT CON-
ROY B. SHEPHERD TEMPT OF COURT

Thelma L. Shepherd, being duly sworn upon her oath, says that she was the plaintiff in the above cause of action, in the Hendricks Circuit Court: that in said cause, this defendant filed a cross complaint: That in said decree, said Roy B. Shepherd was granted the custody of the two children, to wit: Jimmie Lee Shepherd and Larry Dee Shepherd, but which order further provided that this affiant should have the said children on the first and third Saturdays of each and every month and to return said children to the home of said Roy B. Shepherd by 6:00 p.m. on the following Sundays. Affiant would further say and show to this court, that in accordance with said order, she has gone to his home for the purpose of securing children, and that said defendant Roy B. Shepherd refused to let her have them. That said defendant has wilfully, knowlingly, refused to obide the order of this Honorable Court.

Thelma L. Shepherd

Subscribed and sworn to before me this 20 day of September, 1941.

John A. Kendall
State Representative

My Comm. exp. 12-31-42

It is therefore ordered by this court that the said Roy B. Shepherd be and appear in this court on the 18th day of October, 1941 at 9:00 a.m. to show cause, if any, why he should not be attached and punished for a contempt of court.

Horace L. Hanna
Judge Hendricks Circuit Court

ROBERT T. TOMPLINS)
VS) # 16385 Judgt. vs Deft. for Costs.
HAROLD KATTAU) ENTRY OF DISMISSAL J. D. 18, Page 228.

Come now the parties and in open court agree that this cause be dismissed at the cost of the defendant.

It is hereby considered and adjudged by the court that this cause be and the same is hereby dismissed and that the plaintiff recover of the defendant his costs and charges in this behalf laid out and expended

HOME LUMBER CO.)
VS) # 16277
CHARLES F. TUCKER)ORDER FOR NOTICE BY PUBLICATION
HELEN CLAIRE TUCKER)
BERNICE SHIRLEY)

Comes now the plaintiff in the above entitled cause of action and heretofore filed their complaint for the foreclosure of a mechanic's lien against the above named defendants and now plaintiff files their affidavit, which affidavit is of the following words and figures, to wit, (H.I.).

That one of the defendants, Charles F. Tucker, is a non resident of the state of Indiana, and that his where abouts are unknown although diligent inquiry has been made to ascertain the same. Said plaintiff now moves the court for an order that the filing and pendency of said proceedings be given to said defendant, Charles F. Tucker, by publication, as required by the statutes of the state of Indiana.

It is therefore ordered that the Clerk of this court give notice to the said defendant, Charles F. Tucker of the filing and pendency of said proceedings, and when and where the same will be heard, by publication thereof in some public newspaper of general circulation printed and published in the English language in Hendricks County, Indiana, the same to be returnable the 12 day of December, 1941.

STATE OF INDIANA ON THE)
RELATION OF LUTHER SYMONS,)
BANK COMMISSIONER OF INDIANA)
VS) # 13635 ORDER TO RELEASE JUDGMENT
HUNTER BANK) AND PAY COURT COSTS

Charles B. Davison, receiver of the Hunter Bank, having filed his verified petition, praying therein for an order authorizing him to release the judgment against H. A. Smith and to pay court costs of $9.90, 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 it is to the best interest that the prayer thereof should be granted.

Said receiver is hereby directed and authorized to release the certain judgment in the Hendricks Circuit Court against H. A. Smith and to pay the court costs of $9.90.

JAMES F. ROBINSON)
VS) # 16480
H. C. BROADSTREET, ETC., ET AL.)

The defendant is ruled to answer complaint herein on or before October 13th, 1941.

ULYSSES S. LESH, ET AL.)
VS) # 16424
TOM R. ROBERTS, ET AL.)

Comes now the defendant, Tom R. Roberts, and files motion for leave to withdraw answer and to reconsider ruling on demurrer, which motion is in the words and figures following, to-wit: (H.I.).

WILLIAM A. ENGLES, JR., BY)
HIS NEXT FRIEND WILLIAM A.)
ENGLES, SR.)
VS) # 16342
WILEY DORSETT)

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

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

Horace E. Hanna
Judge

Monday Morning, October 6th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

LESLIE B. HANES,)
BASIL PICKETT, D/B/A)
HANES AND PICKETT)
VS) # 16462
HAROLD HOBSON)

Comes now the defendant, Commercial Credit Company, Inc. now Commercial Credit Corporation, and files answer to plaintiff's complaint in two paragraphs, which answer is in the words and figures following, to-wit: (H.I.).

ED HESTER)
VS) # 16312
THOMAS TROKE)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

HUGH V. SCHENCK)
VS) # 16375
METROPOLITAN LIFE)
INSURANCE CO. A CORPORATION)

Comes now the defendant, and files motion that this cause be tried by the Court, which motion is in the words and figures following, to-wit: (H.I.). The Court having seen and examined said motion and being sufficiehtly advised, now overrules said motion, to which ruling of the Court the defendant objects and excepts.

Come now the parties, and this cause being at issue, the now Sheriff of Hendricks County, Indiana, is ordered to bring into open court the following jurors for jury services, to-wit: Gertrude Hines, Ralph Jones, John Mercer, Marshall Eggers, William C. Zaring, Jr., Paul Christie, Asa Scott, Oscar Montgomery, Judson Baxter, Stewart Fletcher, Carl Harvey and Virgil Denny, twelve good and lawful men and woman, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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, and at the conclusion of the evidence, the defendant files motion to instruct the jury to find for the defendant, which motion is in the words and figures following, to-wit: (H.I.).

The jury is allowed to separate until 9:30 A. M., October 7th, 1941, under proper instructions of the Court as to their duties during separation.

STATE OF INDIANA)
VS) # 8188 Judgt. vs Deft. for $5.00 Fine & Costs.
CLIFFORD CASTETTER) J. D. 18, Page 228.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Clifford Castetter, in his own proper person, and said defendant is duly arraigned in open Court and the defendant pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that said defendant, Clifford Castetter, be and he is fined five dollars and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 8186 Judgt. vs Deft. for $5.00 Fine & Costs.
HERBERT PICKLE) J. D. 18, Page 229.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Herbert Pickle, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty of disorderly conduct.

It is, therefore, adjudged by the Court that said defendant, Herbert Pickle, 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. Tuesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, October 7th, 1941.

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

SPEEDWAY STATE BANK)
VS) # 16476
EARL L. RAHM, ET AL.)

Come now the defendants, Wilbur J. Sanford, Donald Sanford, Bertha Plonges, Estella Branson, Leona Amos and Jean Sanford doing business as Speedway Gravel Company, by counsel, and file answer in denial, which answer is in the words and figures following, to-wit: (H.I.).

Said defendants also file cross-complaint to foreclose mechanics lien, which cross-complaint is in the words and figures following, to-wit: (H.I.).

CLINTON C. PRATHER)
VS) # 16406
LEON FRANK, ET AL.)

The defendants are ruled to answer complaint herein on or before October 14th, 1941, or they will be defaulted.

HUGH V. SCHENCK)
VS) # 16375
METROPOLITAN LIFE)
INSURANCE CO. A CORPORATION)

Come now the parties, in person and by counsel, and the Court overrules defendant's motion to instruct the jury to find for the defendant, to which ruling of the Court the defendant objects and excepts.

The defendant now files motion to withdraw the submission of this cause from the jury trying said cause and to decide and enter judgment in said cause without the intervention of a jury, which motion is in the words and figures following, to-wit: (H.I.). The Court being duly advised, now overrules said motion, to which ruling of the Court the defendant objects and excepts.

Comes now the defendant, at the close of all the evidence, and tenders to the Court instructions numbered one to eight, both inclusive, with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury. And now the Court indicates by written memorandum all instructions that will be given and all instructions that will be refused by the Court.

The Court indicates that he will refuse to give instructions numbered 1, 2, 3, 4, 5, 6, 7 and 8, tendered by the defendant, which are all of the instructions tendered by the defendant. The Court now tenders to the plaintiff and to the defendant the instructions to be given by the Court of its own motion, said instructions being numbered one to twelve, both inclusive.

Comes now the defendant, at the close of the evidence, and before the beginning of argument and after all instructions had been submitted and the Court had indicated which instructions it would give, and which instructions it would refuse to give, the defendant now objects and excepts to the Court's refusal to give

instructions numbered 1, 2, 3, 4, 5, 6, 7 and 8 tendered by the defendant and which objections and exceptions are in the following words and figures, to-wit: (H.I.).

Comes now the defendant at the close of the evidence and before argument and after all instructions had been submitted and the Court indicated which instructions it would give and which instructions it would refuse to give; and now the defendant, having had reasonable opportunity to examine said instructions, does now orally state his specific objections, out of the presence of the jury, to each of the following instructions. Defendant now objects and excepts to instructions numbered 7, 8 and 11 tendered by the Court of its own motion. Defendant also now objects and excepts to the Court's refusal to give instructions numbered 1, 2, 3, 4, 5, 6, 7 and 8 tendered by the defendant. All of said specific objections and exceptions of said defendant are made orally, taken down by the reporter and may be made a part of the record by general or special bill of exceptions.

And now this cause is presented to the jury in oral argument; and now the Court instructs the jury by giving to the jury of its own motion instructions numbered one to twelve both inclusive. And the Court refuses to give instructions numbered 1, 2, 3, 4, 5, 6, 7 and 8 tendered by the defendant.

And now all instructions, including those tendered, given and refused, together with the Court's memorandum thereon, and the written objections and exceptions of the defendant are ordered filed, and filed, and ordered made, and made a part of the record in this cause, without a bill of exceptions, which instructions are in the words and figures following, to-wit: (H.I.).

And now the jury retires to deliberate upon its verdict.

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 8th, 1941.

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

HUGH V. SCHENCK)
VS) # 16375
METROPOLITAN LIFE INSURANCE)
COMPANY, A CORPORATION.)

The jury is now returned into Court and reports to the Court that they can not agree on a verdict in this cause, and the Court questioning each juror as to the probability of their reaching a verdict is of the opinion that it will be impossible for the jury to agree upon a verdict in this cause, and said jury is now discharged.

PAUL H. SULLIVAN)
HARRIETT HOFFMAN)
VS) # 16395
MARIAN HARDY ET. ALS.) E N T R Y

Comes now the plaintiffs by their attorney and comes also the commissioner heretofore appointed and files his report of the sale of the whole of the real estate in this proceedings ordered sold, which is in words and figures as follows, to-wit: (H.I.), together with proofs of publication and posting of notice of said sale, from which it appears, and the court so finds, that after having the same duly appraised and giving notice of such sale of real estate, as required by the order of this court authorizing such sale, said commissioner on the day fixed in the notice of sale being the 29th day of September, 1941, sold the same at private sale to Raymond Andrews for the sum of $2200.00, said sum being more than the appraised value thereof, and that said purchaser stands ready to pay the amount of such purchase price upon confirmation of said sale and the execution and delivery of a deed of conveyance of said real estate to said purchaser.

And the court being sufficiently advised in the premises, now approves the report of said commissioner and the acts of the commissioner therein reported; and now this proceeding is ordered continued for a period of 30 days from the date of said sale.

CASSIUS P. CURTIS)
VS) # 15798
JOE R. BECKETT)

Comes now the plaintiff, and moves the Court to set a date for the closing of issues in this cause and for a preemptory rule requiring the defendant to answer complaint herein, which rule was prior hereto fixed for September 23rd, 1941, and said rule has not been complied to by the defendant.

The defendant is ruled to answer complaint herein on or before October 10th, 1941.

EARL FRAZIER ET ALS.)
VS) # 16483 Judgt. vs Pltfs. for Costs.
HENRY CALLAHAN) E N T R Y J. D. 18, Page 229.

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 defendant has been served with process more than ten days before the 6th day of October, 1941, being the date indorsed on plaintiffs' complaint for the return-day of summons thereon, which said summons and the return of the sheriff thereon are in the words and figures as follows, to-wit: (H.I.)

And now on motion of plaintiffs said defendant is three times loudly called in open court and comes not but herein wholly makes default.

And the court having heard the evidence and being duly and sufficiently advised in the premises finds for the plaintiffs and that the allegations of plaintiffs complaint are true, and that plaintiffs are entitled to the immediate possession of the real estate described in their complaint, subject to the right of defendant to enter thereon for the purpose of and to harvest and gather in due season crops growing thereon and not harvested. The court further finds that defendant has wrongfully kept plaintiffs out of possession of said real estate for two months but that plaintiffs are entitled to recover no damages from defendant.

It is therefore ordered, adjudged, and decreed by the court that plaintiffs recover of and from defendant the possession of the following described real estate lying and being in Hendricks County, State of Indiana, to-wit:

The East half of the Northwest quarter of Section 29, Township 14 North of Range 1 West; and the East half of the Southwest quarter of the Northwest quarter of Section 29, Township 14 North, of Range 1 West, containing 100 acres, more or less subject to the right of defendant to enter thereon for the purpose of and to harvest and gather in due season crops growing thereon and not harvested.

It is further adjudged and decreed that plaintiffs recover from the defendant no damages herein and that plaintiffs 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 9th, 1941.

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

IVA F. CROUCH)
VS.) # 16499 ENTRY
GEORGE W. CROUCH)

Iva F. Crouch having filed her verified petition in the above divorce case for support of herself and child pending action and attorney fee, which verified petition is of the following words and figures, to wit, (H.I.). The court having read said petition and being duly advised therein now orders said defendant notified by the Clerk of this court to appear in said caourt on the 23 day of October, 1941 at 9:00 A.M. when said petition will be heard.

Horace L. Hanna
Judge Hendricks Circuit Court

IVA F. CROUCH)
VS) # 16499 ENTRY
GEORGE W. CROUCH)

Iva F. Crouch having filed her duly verified petition praying therein for a temporary restraining order against said defendant, which verified petition is of the following words and figures, to wit, (H.I.).

Court being duly advised now sustains said petition and said petition is set for hearing on the 23 day of October, 1941 as to whether or not said order shall become permanent and the Clerk of this court is hereby directed to notify said defendant of said hearing.

Horace L. Hanna
Judge Hendricks Circuit Court

STATE OF INDIANA) IN THE HENDRICKS CIRCUIT COURT
SS.
HENDRICKS COUNTY) SEPTEMBER TERM 1941
IVA F. CROUCH)
VS.) ORDER FOR A RESTRAINING
GEORGE W. CROUCH) ORDER

Comes now Iva F. Crouch by her attorney John A. Kendall and files verified petition for a temporary restraining order against said defendant, restraining him for disposing of any furniture or personal property now held by him including one Nash automobile, which verified petition is of the following words and figures, to wit, (H.I.). And the court having heard the evidence and reading said petition and being duly advised therein now finds that there is a probability of said defendant disposing of said personal property and that said plaintiff is entitled to a temporary restraining order against him from further conveying, disposing or selling said property.

It is, therefore, ordered and decreed by this court that the defendant be and he is hereby injoined and restrained from selling, conveying or in any way disposing of any of his personal property or personal property belonging to said plaintiff including one Nash automobile, until further order of this court.

Horace L. Hanna
Judge Hendricks Circuit Court

DON J. GOOD)
VS) # 16442
H. C. BROADSTREET,)
(WHOSE CHRISTIAN NAME)
IS UNKNOWN))

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

STATE OF INDIANA)
VS) # 8184
ALFRED EDWARDS)
CHESTER BLANTON)

Comes now the State of Indiana, by George W. Hadley, prosecuting attorney and comes also the defendants,in their own proper persons and by their attorney, T. Ernest Maholm, and said defendants each waive arraignment and enter their plea of not guilty of automobile banditry.

The Court now fixes bond at $5000.00.

STATE OF INDIANA)
VS) # 8183
ALFRED EDWARDS)
CHESTER BLANTON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendants, Alfred Edwards and Chester Blanton, in their own proper persons and by their attorney, T. Ernest Maholm, and said defendants now each waive arraignment and enter plea of not guilty to each count in said indictment.

The Court fixes bond at $5000.00.

STATE OF INDIANA)
VS) # 8176
HERBERT SHEPHERD)

Comes nowthe State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Herbert Shepherd, in his own proper person, and this cause is submitted to the Court, defendant waiving a jury.

Evidence is heard, and the Court takes matter under advisement.

STATE OF INDIANA, EX REL.)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Court being duly advised, now overrules defendants' motion to make amended complaint more specific, to which ruling of the Court the defendants separately and severally object and except.

All defendants are ruled to answer complaint herein on or before October 22nd, 1941.

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE)
CO., ETC., ET AL.)

Come now the defendants, and file motion to require the plaintiff to separate his third amended complaint into separate causes of action and to separately docket the same, which motion is in the words and figures following, to-wit: (H.I.).

Come now the parties, and oral argument is had on said motion to separate.

The Court being duly advised, now overrules motion to separate, to which ruling of the Court the defendants separately and severally object and except. and the defendants are ruled to answer complaint herein on or before October 20th, 1941.

KATE T. BARKER)
VS) # 16497
FRANK GIBBS)

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

The Court being sufficiently advised, now sustains said motion, and this cause is dismissed, costs paid.

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

STATE OF INDIANA)
VS) # 8173
ALFRED EDWARDS)
CHESTER BLANTON)

Comes now the defendant, Chester Blanton, in person and by his attorney, T. Ernest Maholm, and said defendant moves the Court to vacate order sustaining change from Judge in this cause, and to withdraw his affidavit for change from Judge in this cause.

The State of Indiana, by George W. Hadley, Prosecuting Attorney, being present; and there being no objection to said motion, the Court sustains said motion and vacates said order and withdrawal of affidavit, and affidavit for change from Judge in this cause is withdrawn, and order sustaining said motion from change of judge is vacated.

GLADYS SHEPHERD)
VS) # 15064 Judgt. vs Deft. for $2.00 Per Week.
HERBERT SHEPHERD) J. D. 18, Page 229.

Comes now the plaintiff and the defendant, and the Court reviews and hears evidence as to defendant being delinquent in his payments as set forth in decree herein for him to pay when said divorce herein was granted to the plaintiff. The Court being duly advised, finds that said defendant as shown by the Clerk's record herein is in arrears in the sum of $353.00, the Court further finds that said plaintiff has made certain payments direct to said children and has purchased clothes and furnished certain necessaries for said children and has had the children at different periods and furnished them board and that said defendant should have a credit by reason thereof on said balance of $353.00 of $203.00, that there is a balance due on said former order of $150.00.

The Court reviewing this whole matter, now orders that the care and custody of said children be now amended in this. That the defendant, Herbert Shepherd, shall have the custody of Willie Everett Shepherd, that the plaintiff, Gladys Shepherd Moore, shall have the custody of Della May Shepherd and Virgil H. Shepherd, that the defendant shall pay $2.00 per week beginning October 11th, 1941, into the Clerk's Office for support of said two last named children, that the defendant shall also pay into said Clerk's Office $2.00 a week to be applied on the amount of $150.00 this day found as balance due from defendant on support money, and said sums to be paid until further order of this Court, said sum so paid to said Clerk shall be paid by him to the plaintiff herein.

It is, therefore, considered, ordered and adjudged by the Court that the defendant, Herbert Shepherd, shall have the custody of Willie Everett Shepherd, that the plaintiff, Gladys Shepherd Moore, shall have the custody of Della May Shepherd and Virgil H. Shepherd, that the defendant, Herbert Shepherd, shall pay $2.00 per week beginning October 11th, 1941, into the Clerk's Office for support of said two last named children, that the defendant shall also pay into said Clerk's Office $2.00 a week to be applied on the amount of $150.00 this day found as balance due from defendant on support money, and said sums to be paid until further order of this court, said sum so paid to said Clerk shall be paid by him to the plaintiff herein, all of the above until further order of this Court.

KATHLEEN CLARK)
VS) # 16417 DECREE OF DIVORCE
IVAN CLARK)

Comes now the plaintiff in person and also her attorney John A. Kendall and the defendant appeared by his attorneys Gillen and Lyon of Greencastle, Indiana: And it appearing to the satisfaction of the court by the summons and the Sheriff's return thereon, which are as follows, to wit, (H.I.). 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. Defendant files answer, whereupon said cause was submitted to the court for hearing, trial and decree.

And the court having heard the evidence and being fully advised in the premises, finds for the plaintiff and that she is entitled to a decree of divorce from the defendant on the grounds alleged in her complaint and that she is entitled to have her maiden name of Kathleen Baxter restored to her.

It is, therefore, considered and adjudged by the court that the bonds of matrimony existing between said plaintiff and defendant be dissolved and that the plaintiff be granted an absolute divorce and that the maiden name of Kathleen Baxter is hereby restored to said plaintiff. Costs paid.

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 10th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

WILLIAM A. ENGLES, JR., BY)
HIS NEXT FRIEND WILLIAM A.)
ENGLES, SR.)
VS) # 16342
WILEY DORSETT)

Comes now the defendant, by counsel, and files motion to require the defendant to comply with Supreme Court rulls 1 - 3, which motion is in the words and figures following, to-wit: (H.I.).

GEORGE ISENHOWER, A MINOR,)
BY HIS NEXT FRIEND, ANNA)
ISENHOWER)
VS) # 16469
GEORGE DAVIS, A MINOR, ET AL.)

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

JOHN T. TRAVIS)
VS) # 16348
CHARLOTTE ANDERSON)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

RALPH A. NEWBY)
VS) # 16467
J. P. FRANCIS)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

CASSIUS P. CURTIS)
VS) # 15798
JOE R. BECKETT)

Comes now the defendant, and tenders for filing a motion to submit additional interrogatories to plaintiff, said interrogatories being numbered one to twenty-four, both inclusive. Plaintiff now objects to the filing of additional interrogatories. Oral argument is had on objection of plaintiff to the filing of said additional interrogatories. The Court being suffificently advised, now sustains objection of plaintiff and the plaintiff is not required to answer said additional interrogatories, to which ruling of the Court the defendant objects and excepts.

The defendant is now ruled to answer complaint on or before October 20th, 1941.

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 11th, 1941.

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

WILLIAM DeHART,)
OTIS DeHART, PARTNERS, ETC.)
VS) # 16157
INDIANA RAILROAD, A CORP.)

Comes now the defendant, Indiana Railraod, and files answer in abatement, which answer is in the words and figures following, to-wit: (H.I.).

A copy of this plea was received by the Court September 16th, 1941, which the Court understood from the letter enclosing the same, that the defendant was just sending the Court a copy of the pleading and that the plea had been duly filed, and on this date October 11th, 1941, Court discovering that no entry had been made showing the filing, now files the same.

ANNIE M. REYNOLDS)
VS) 16311
JESSE W. REYNOLDS)

Comes now the plaintiff, in person and by counsel, and shows to the Court the summons and return thereon issued to the Sheriff of Marion County, Indiana, which summons and return thereon are 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 more than ten days before the 17th day of March, 1941, at which time said cause was made returnable by endorsement on plaintiff's complaint herein, duly signed by plaintiff's attorney. Said defendant failing to appear, is now on motion of the plaintiff three times loudly called in open court and comes not and herein wholly makes default.

Comes now George W. Hadley, Prosecuting Attorney for this judicial district, and enters his appearance herein and files answer in denial of said petition, which answer is in the words and figures following, to-wit: (H.I.).

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 finds for the plaintiff and that the allegations of her complaint are true and that the plaintiff is entitled to an absolute divorce from the defendant.

The Court further finds that the plaintiff's former name of Anna Mary Collier be restored to her, all at the cost of the plaintiff, said costs being now paid.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony existing between the plaintiff, Annie M. Reynolds and the defendant, Jesse W. Reynolds, be dissolved and the plaintiff is hereby granted an absolute divorce from the defendant.

It is further considered, ordered and adjudged by the Court that the plaintiff's former name of Anna May Collier be restored to her, all at the cost of the plaintiff, said costs being now paid.

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 13th, 1941.

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

JAMES F. ROBINSON)
VS) # 16480
H. C. BROADSTREET, ETC., ET AL.)

Come now the defendants, and file answer in one paragraph, which answer is in the words and figures following, to-wit: (H.I.).

OLLIE PIERSOL, ET AL.)
VS) # 16412
FRANK E. HAYS, EXECUTOR, ETC.)

The defendants are ruled to answer on or before October 23rd, 1941.

SOLON M. McNAB, ETC.)
VS) # 15649
RAY HERETH, ET AL.)

Comes now the plaintiff, 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: (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, the costs paid.

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

BERNICE SPENCER)
VS) # 16441
HERBERT J. STEDFELD)

Come now the parties, and the Court being duly advised, now sustains defendant's demurrer to plaintiff's complaint herein, to which ruling of the Court the plaintiff objects and excepts.

The plaintiff is ruled to plead over on or before October 24th, 1941.

SUSIE L. ISLEY)
VS) Cause No. 16461.
LOREN ISLEY) RESTRAINING ORDER.

Comes now the above named plaintiff, Susie L. Isley, and presents and files her affidavit for a restraining order against the defendant, Loren Isley, which affidavit is in the following words and figures, to wit: (H.I.).

And now the plaintiff, said affiant, is present in court in her own person, and by counsel, and the defendant is present by counsel, and the court, having heard the dvidence adduced by the plaintiff and being duly advised in the premises, finds for the plaintiff that she is entitled to a restraining order against the defendant for the causes and reasons set forth in her affidavit.

It is therefore ordered by the court that the defendant, Oren Isley, be and he is hereby restrained from entering upon the premises and place in Boone County, Indiana, owned and occupied by Mrs. Sallie Brown and being situated about 9½ miles Northwest of Jamestown, Indiana, where the plaintiff and affidavit is now living with their infant child, and further that he, said defendant, be and he is hereby restrained from molesting or doing any act, or acts, which will cause any bodily injury to the person of the plaintiff, affiant herein, or their infant child, under the penalties of being in contempt of court. All until further order of this court.

This decree shall be sufficient authority for the sheriff of Hendricks County, Indiana, to serve as a writ upon the defendant.
Dated Oct. 13, 1941.

Horace L. Hanna
Judge of the Hendricks Circuit Court.

STATE OF INDIANA)
VS) # 8190 Judgt. vs Deft. for $50.00 Fine & Costs.
CHARLES GALAGHER) J. D. 18, Page 230.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of selling alcoholic beverage without permit.

It is, therefore, adjudged by the Court that said defendant, Charles Galagher, for the offense by him committed shall be and he is fined fifty dollars and that he shall be and he is sentenced to the Indiana Penal Farm for ten days and shall pay the costs of this action, taxed at _____dollars and _____cents.

LACEY L. SHULER, M.D.)
HARRY E. KITTERMAN, M.D.)
VS) # 16443 Judgt. vs Deft. for $175.00 and Costs.
LESLIE GENTRY) J. D. 18, Page 230.

Comes now the plaintiff, and shows to the Court the summons and the return thereon, which summons was issued to the Sheriff of Hendricks County, Indiana, and served on the defendant herein, and which summons 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 summons herein more than ten days before the 1st day of September, 1941, at which time said cause was made returnable by endorsement on complaint herein, and which endorsement was duly signed by the plaintiffs' attorney, 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.

Now on motion of the plaintiff, said cause is now 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, that the allegations of plaintiffs' complaint are true and that there is due and unpaid plaintiff on the account sued on herein the sum of $175.00, together with their costs and expenses laid out and expended herein.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiffs are entitled to recover of and from the defendant, Leslie Gentry, on account sued on herein, the sum of $175.00, together with the costs of this action 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, October 14th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

LILLIAN A. L. OBERTING)
VS) # 15426
ANNA MAAR)

The plaintiff is ruled to plead over on or before October 23rd, 1941.

JAMES F. ROBINSON)
VS) # 16480
BRUCE O. BROADSTREET) ENTRY
H. C. BROADSTREET, whose)
Christian name is unknown)

Comes now the plaintiff and files his verified petition praying therein for a restraining order, restraining said defendants herein from pasturing the real estate described in plaintiff's complaint herein with the exception where corn is now standing, which petition is of the following words and figures to wit, (H.I.).

The court having read said petition and being duly advised now sets the same for hearing by this court on the 23 day of October, 1941 at 9:00 A.M. and the Clerk of said court is hereby notified to notify said defendants of said hearing.

ALBERT E. UHL, EXECUTOR OF THE)
ESTATE OF LETHA R. HUBINGER, DECEASED.)
VS) # 16324
THE HOME INSURANCE CO. OF NEW YORK)

Comes now the defendant, by counsel, and files plea in abatement, which plea is in the words and figures following, to-wit: (H.I.).

Marshall D. Abrams, Special Judge.

JOHN W. MATLOCK)
VS) # 16410
GERTRUDE M. CRAIL)

Comes now the defendant, and by leave of court files second paragraph of answer, which second paragraph of answer is in the words and figures following, to-wit: (H.I.).

JOHN ALLEN)
VS) # 16152 Judgt. vs Pltf. for Costs.
MARY S. SUTHERLAND) J. D. 18, Page 230.
DONALD A. SUTHERLAND)

Comes now the plaintiff, by counsel, and files motion to dismiss this cause, costs against the plaintiff, 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 premises, now sustains the same, 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, John Allen, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

ALVA R. SMITH, Plaintiff)
vs.) CAUSE NO. 16333 Judgt. vs Deft. for $175.00 and Costs.
SPEEDWAY STATE BANK, Defendant) DECREE J. D. 18, Page 230.

Comes now the plaintiff in person and by Cassatt Martz, his counsel, and comes now the defendant by its duly authorized representatives and by Johnson, Zechiel & Johnson, its counsel, and now in open court plaintiff dismisses Paragraph III of his amended complaint and this cause now being at issue upon Paragraphs I, II, and IV of plaintiff's amended complaint and defendant's answer thereto is now submitted to the Court for trial, finding, and judgment without the intervention of a jury.

The Court having heard the evidence and argument of counsel and being duly advised in the premises and having taken such case under advisement at the close of such argument for briefs, and plaintiff and defendant having heretofore submitted briefs, Court now finds for the plaintiff that the said plaintiff, Alva R. Smith, is entitled to recover the sum of one hundred seventy-five dollars ($175.00) upon Paragraph I of his amended complaint.

IT IS THEREFORE ADJUDGED BY THE COURT that the plaintiff, Alva R. Smith, have and recover of and from the defendant, Speedway State Bank, upon Paragraph I of his amended complaint the sum of one hundred seventy-five dollars $175.00) and costs of this action.

Dated and entered this 14th day of October, 1941.

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 15th, 1941.

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

ROBERT BELL)
VS) # 15362 On Account of Change of Venue from County.
NETTIE S. AND)
SHELBY GIBSON)

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 Marin 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. Six Dollars and - - - Cents ($6.00) in the case of Robert Bell vs. Nettie S. and Shelby Gibson 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 sufficient voucher, and authority for so doing.

October 15th, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

MARY McAFEE)
VS) # 16430 On Account of Change of Venue from County.
RUSSELL PERRIN)

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, andhaving 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. Six Dollars and - - Cents ($6.00) in the case of Mary McAfee vs. Russell Perrin 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 sufficient voucher, and authority for so doing.

October 15th, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

MARGARET BARNECLO)
VS) # 16368 On Account of Change of Venue from County.
DONALD RICE BARNECLO)

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. Eleven Dollars and - - - Cents ($11.00) in the case of Margaret Barneclo vs. Donald Rice Barneclo 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 sufficient voucher, and authority for so doing.

October 15th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

JACK WILLIS)
VS) # 16370 On Account of Change of Venue from County.
ROSALIE WILCOX)

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. Six Dollars and - - - Cents ($6.00) in the case of Jack Willis vs. Rosalie Wilcox 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 sufficient voucher, and authority for so doing.

October 15th, 1941.

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

BETTY JANE HICKMAN)
VS) # 16374 On Account of Change of Venue from County.
INTERSTATE MOTOR FREIGHT)
SYSTEM, &)
FRED MOHR.)

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. Six Dollars and - - Cents ($6.00) in the case of Betty Jane Hickman vs. Interstate Motor Freight System, & Fred Mohr 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 sufficient voucher, authority for so doing.

October 15th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

JAMES H. RICHMOND AS)
RECEIVER, ETC.)
VS) # 16160 On Account of Change of Venue from County.
IVAN WEBSTER RIGGINS)

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. Six Dollars and - - - Cents ($6.00) in the case of James H. Richmond as Rec.,etc. vs. Ivan Webster Riggins 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 sufficient voucher, and authority for so doing.

October 15th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

STATE OF INDIANA, EX REL, EMMETT)
HUCKLEBERRY AND EDITH HUCKLEBERRY)
VS) # 16097
JESSIE M. DOUGLAS, ET AL.)

Come now the parties, and the Court being duly advised, now overrules motion of defendants, Hollie B. Dame and Seaboard Surety Company, for new trial, to which ruling of the Court said defendants object and except.

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250
PERRY STADIUM, INCORPORATED, ET AL.)

Come now the parties, and the Court being duly advised, now overrules plaintiff's motion for new trial, to which ruling of the Court the plaintiff objects and excepts.

Plaintiff prays appeal, and the Court being duly advised, now grants said appeal, and sixty days are given to file all bills of exceptions.

BERNICE E. SHIRLEY)
VS) # 16043
CHARLES F. TUCKER)
HELEN CLAIRE TUCKER)

Comes now the receiver, and files final and financial report, which report is in the words and figures following, to-wit: (H.I.), and which report is now examined and approved by the Court, and said receiver is now discharged from his bond and trust.

MARY ELLEN BORDERS)
VS) # 16381
LEON BAYLISS, ET AL)

The Court being duly advised, now sustains defendants' demurrer to to plaintiff's complaint herein, to which ruling of the Court the plaintiff objects and excepts.

Plaintiff is now ruled to plead over on or before November 3rd, 1941.

JOHN R. SOMMERS)
VS) # 16384
LAFE MURPHY)

Court being duly advised, now overrules defendant's motion to make complaint more specific, to which ruling of the Court the defendant objects and excepts.

The defendant is now ruled to answer complaint herein on or before October 25th, 1941.

STATE OF INDIANA)
VS) # 8192 Judgt. vs Deft. for $5.00 Fine & Costs.
DEWEY BRYANT) J. D. 18, Page 231.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Dewey Bryant, 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, Dewey Bryant, for the offense by him committed shall be and he is fined five dollars and that he shall pay the costs of this action.

ROBERT ELSON BY HIS NEXT FRIEND)
CHESTER J. ELSON)
VS) #16501 Judgt. vs Deft. for $100.00 & Costs.
EARL M. COSTIN) J. D. 18, Page 231.

Comes now the defendant, by counsel, and files waiver of summons in this cause, which waiver is in the words and figures following, to-wit: (H.I.).

Said defendant also files answer denying the allegations in each retorical paragraph, which answer is in the words and figures following, to-wit: (H.I.).

Comes now also the plaintiff, by counsel, and this cause being at issue, is now submitted to the Court without the intervention of a jury.

Evidence is heard, and the Court finds for the plaintiff

and that the allegations of plaintiff's complaint are true, that the plaintiff is entitled to damages in the sum of one hundred dollars and to his costs and expenses in this behalf paid, laid out and expended in the sum of $_____.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff is entitled to damages in the sum of one hundred dollars, and that the defendant, Earl M. Costin, also pay the costs of this action, taxed at _____ dollars and _____cents.

RALPH KELSCH)
VS) # 15262 Judgt. vs Pltf. for Costs.
HARRIETT KELSCH) J. D. 18, Page 231.

The Court being duly advised, finds that the plaintiff and defendant are now and have been for a long time past, and subsequent to the filing of this complaint, living together as husband and wife.

The Court of its own motion, now dismisses this cause all 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, Ralph Kelsch, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

FRANK N. RHINE)
VS) # 15450 On Account of Change of Venue from County.
FORREST COOPER, 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. Six Dollars and - - Cents ($6.00) in the case of Frank N. Rhine vs. Forrest Cooper, 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 sufficient voucher, and authority for so doing.
October 15th, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

FRIEDA G. PATTON)
VS) # 16377 On Account of Change of Venue from County.
ARLAND A. PATTON)

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 Dollars and - - - Cents ($20.00) in the case of Frieda G. Patton vs. Arland A. Patton 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 sufficient voucher, and authority for so doing.

October 15th, 1941.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

STATE OF INDIANA, EX REL)
TONY FLACK, ADMR. DE BONIS NON, ETC.)
VS) # 16072 On Account of Change of Venue from County.
SEABOARD SURETY 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. Thirty-Nine Dollars and - - - Cents ($39.00) in the case of State of Indiana, Ex Rel Tony Flack, Admr. De Bonis Non, Etc. vs. Seaboard Surety 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 sufficient voucher, and authority for so doing.

October 15th, 1941.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

GRACE EDITH CROUCHER)
VS) # 16125 On Account of Change of Venue from County.
HARRY DIXON, 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 accout is in all things, correct, and the amount thereof, to-wit. One Hundred Forty Dollars and Sixty Cents ($140.60) in the case of Grace Edith Croucher vs. Harry Dixon, 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 sufficient voucher, and authority for so doing.

Oc

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 16th, 1941.

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

HELEN CAMPBELL)
VS) # 16503
ADOLPH SCHRAM)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

MARION A. ENNIS)
VS) # 16327
HORACE BELL)
ROY CLARK)

Comes now the defendant, Horace Bell, and files motion for new trial, which motion is in the words and figures following, to-wit: (H.I.).

THE AMERICAN OIL CO.)
VS) # 16265
J. P. FRANCIS, WHOSE CHRISTIAN)
NAME IS UNKNOWN)

Comes now the plaintiff, and files motion to dismiss this cause as to the defendant, Big Four Railroad Company, 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 premises, now sustains said motion, and this cause is dismissed as to the defendant, Big Four Railroad Company, only.

DELLA MAE WARD)
VS) #16502 ORDER FOR NOTICE BY PUBLICATION
RALPH E. WARD)

Comes now the plaintiff and files her complaint for an absolute divorce and also files her affidavit together with an affidavit of a disinterested person that the defendant is a non-resident of the State of Indiana, which complaint and plaintiff's affidavit and the affidavit of the disinterested person are of the following words and figures, to wit, (H.I.).

The court being duly advised therein now orders that notice by publication be given to said defendant notifying him to appear in said court on the 19 day of December, 1941 and the Clerk of said court is hereby directed to give said notice as by law provided.

TRESSIE HAMILTON)
VS.) # 16133 DECREE
EARL HIGGINS)

The plaintiff having filed her petition for an alias summons, which petition is of the following words and figures, to wit, (H.I.).

The court having examined the same and being duly advised now orders the Clerk of this court to issue an alias summons to the Sheriff of Vermillion County, Illinois, returnable November 15th, 1941.

CHESTER BLANTON)
VS) # 16454 Judgt. vs Pltf. for Costs.
WILTSIE J. STUART,) J. D. 18, Page 231.
AS SHERIFF, ETC.)

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

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, Chester Blanton, is ordered to pay the costs of this action, taxed at _____dollars and _____ cents.

ALFRED EDWARDS)
VS) # 16453 Judgt. vs Pltf. for Costs.
WILTSIE J. STUART,) J. D. 18, Page 232.
AS SHERIFF, ETC.)

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

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, Alfred Edwards, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 8184 Judgt. vs Defts. for Costs.
ALFRED EDWARDS) J. D. 18, Page 232.
CHESTER BLANTON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendants, Alfred Edwards and Chester Blanton, in person and by their attorney, T. Ernest Maholm, and now each of said defendants ask leave to withdraw their plea of not guilty, which leave is granted, and each defendant now pleads guilty to the charge of automobile banditry.

The Court finds that the age of the defendant, Alfred Edwards is twenty years and the age of the defendant, Chester Blanton, is eighteen years, both being under the age of twenty-one years, and the Court further finds that said defendants, or either of them, have not been convicted of a felony.

It is, therefore, adjudged by the Court that said defendants, Alfred Edwards and Chester Blanton, be now sentenced, for the offense by each of them committed, to the custody of the Board of Trustees of the Indiana Reformatory as guilty of the crime of automobile banditry, and that they each be confined therein for a term of not less than one year nor more than ten years, subject to the rules and regulations established by said Board of Trustees, and that they shall pay the costs of this action,

taxed at _____dollars and _____cents.

The Court now orders the Sheriff to deliver to Logan Morris the $119.00 taken from said defendants. And now said defendants make restitution in the sum of $100.00, which is duly paid to said Logan Morris, and it is agreed in open Court that the balance of $21.00, will be made in payments, $10.50 on October 24th, 1941, and $10.50 on October 31st, 1941, said payments to be made direct to said Logan Morris by _____Blanton, father of said Chester Blanton.

STATE OF INDIANA)
VS) # 8183 Judgt. vs Defts. for Costs.
ALFRED EDWARDS) J. D. 18, Page 232.
CHESTER BLANTON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Alfred Edwards and Chester Blanton, in their own proper person and by their attorney, T. Ernest Maholm, and now each of said defendants ask leave to withdraw their plea of not guilty, which is now granted, and each defendant now pleads guilty of the charge of robbery and armed robbery.

The Court finds the age of the defendant, Alfred Edwards, is twenty years, and the age of the defendant Chester Blanton is eighteen years, both being under the age of twenty-one years, and the Court further finds that said defendants or either of them, have not been convicted of a felony.

It is, therefore, adjudged by the Court that said defendants, Alfred Edwards and Chester Blanton, be now sentenced, for the offense by each of them committed, to the custody of the Board of Trustees of the Indiana Reformatory, to be confined at the Indiana Reformatory, as guilty of the crime of robbery and armed robbery, and that they each be confined therein for a term of not less than one year nor more than ten years, subject to the rules and regulations established by said Board of Trustees, and they shall pay the costs of this action, taxed at _____dollars and_____ cents.

The Court now orders the Sheriff to deliver to Logan Morris the $119.00 taken from said defendants. And now said defendants make resitution in the sum of $100.00 which is duly paid to said Logan Morris, and it is agreed in open court that the balance of $21.00 will be paid in payments, $10.50 on October 24th, 1941, and $10.50 on October 31st, 1941, said sums to be paid direct to Logan Morris, by _____Blanton, father of the said Chester Blanton.

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 17th, 1941.

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

MARION A. ENNIS)
VS) #16327
HORACE BELL)
ROY CLARK)

Comes now the defendant, Roy Clark, and files motion for new trial, which motion is in the words and figures following, to-wit: (H.I.).

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) # 16397
THE PENNSYLVANIA)
RAILROAD COMPANY)

Come now the parties, and oral argument is had on defendant's demurrer to plaintiff's complaint, and the Court takes ruling under advisement.

FREDONIA ELLIOTT BY SHED)
ELLIOTT NEXT FRIEND)
VS) # 16398
STARLING W. JAMES)

Comes now the plaintiff, and files affidavit for continuance, which affidavit is in the following words and figures, to-wit: (H.I.).

PEOPLES LOAN & TRUST CO.,)
ET AL., ETC.)
VS) # 16411
JOHN O. SPAHR)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

CARRIE GLASS)
VS) # 16505
WILLIAM F. GLASS)

Comes now the Clerk of the Marion Superior Court and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

CLAUDE THOMPSON)
VS) # 16065
CITY OF INDIANAPOLIS, ET AL.)

Come now the defendants, New York Central Railroad Company

and the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company, file answer to plaintiff's second amended complaint, which answer is in the words and figures following, to-wit: (H.I.).

All defendants excepting New York Central Railroad Company and The Cleveland, Cincinnati, Chicago and St. Louis Railroad Company, are ruled to answer complaint herein on or before October 27th, 1951.

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 18th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

MARION GINN, ADMINISTRATOR DE)
BONIS NON OF THE ESTATE OF)
JOSEPHINE RATLIFF)
VS) # 16506 ORDER FOR NOTICE BY PUBLICATION
JACKSON RATLIFF)
CLARENCE RATLIFF)
ROBERT RATLIFF)
PERCY RATLIFF)
RUTH O'BRIEN)

Comes now the plaintiff, Marion Ginn, who is the administrator de bonis non of the estate of Josephine Ratliff and files his complaint for partition to sell said real estate so as to be able to receive the cash for the 1/3 interest in said real estate which is owned by plaintiff's decedent to make assets, to pay the liabilities and debts of said estate, together with his affidavit showing that the defendants Jackson Ratliff and Ruth O'Brien are necessary parties defendants to said proceedings and that they are not residents of the state of Indiana, which affidavit is of the following words and figures, to wit, (H.I.). Said plaintiff now moves the court for an order that the filing and pendency of said proceedings be given to said defendants by publication, as required by the statute of the state of Indiana.

It is, therefore, ordered that the clerk of this court give notice to said defendants of the filing and pendency of said proceedings and when and where the same will be heard, by publication thereof in some public newspaper of general circulation printed and published in the English language in Hendricks County Indiana, the same to be returnable the 22 day of December, 1941.

JULIA M. BROWN)
VS) # 16205
J. RAY MONAGHAN, ET AL.)

Comes now the plaintiff, Julia M. Brown, by counsel, and files demurrer to the amended counter-claim of J. Ray Monaghan, which demurrer is in the words and figures following, to-wit: (H.I.).

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE CO.,)
ETC., ET AL.)

Come now the defendants, and separately and severally file demurrer to plaintiff's third amended complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

CLINTON C. PRATHER)
VS) # 16406
LEON FRANK, ET AL.)

Comes now the defendant, Leon Frank, by counsel, and files cross-complaint, which cross-complaint is in the words and figures following, to-wit: (H.I.).

HELEN G. VEDETTE)
VS) # 16465
ALVA LUTHER VEDETTE)

Comes now the defendant, and files answer in denial to complaint, which answer is in the words and figures following, to-wit: (H.I.).

Comes now the plaintiff, and files reply to defendant's cross-complaint, which reply is in the words and figures following, 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.

Evidence is heard, and the Court takes this cause under advisement.

WILLIAM SUMMERS)
VS) # 16447
ALFRED T. McCLAIN)
RITA McCLAIN)

The defendants are ruled to answer complaint herein on or before November 3rd, 1941.

NETTIE OSBORNE)
VS) # 16448
ALFRED T. McCLAIN)
RITA McCLAIN)

The defendants are ruled to answer complaint herein on or before November 3rd, 1941.

ORONA SUMMERS)
VS) # 16449
ALFRED T. McCLAIN)
RITA McCLAIN)

The defendants are ruled to answer complaint herein on or before November 3rd, 1941.

CARRIE GLASS)
VS) # 16505 Judgt. vs Deft. for $10.00 Per Week and $50.00
WILLIAM T. GLASS) Atty. Partial Fee. J. D. 18, Page 232.

Come now the parties, and agree that temporary custody of minor son, William L. Glass, pending this action is given to Mrs. Emma Hermann, mother of plaintiff, residing at 506 N. Jefferson, Indianapolis, Indiana; with the privilege of plaintiff and defendant of having complete custody alternate week-ends and visiting said minor son at any reasonable time.

The defendant is ordered to pay to plaintiff the sum of $10.00 per

week for the support of plaintiff and the minor son, pending this action beginning on the 17th day of October, 1941.

The defendant is further ordered to pay to Marsh and Marsh, Attorneys, of Indiana, for the plaintiff the sum of $50.00, as attorney partial fee for services in preparing plaintiff's cause of action for trial.

It is, therefore, considered, ordered and adjudged by the Court that the temporary custody of minor son, William L. Glass, pending this action is given to Mrs. Emma Hermann, mother of plaintiff, residing at 506 N.Jefferson, Indianapolis, Indiana; with the privilege of plaintiff and defendant of having complete custody alternate week-ends and visiting said minor son at any reasonable time.

It is further considered, ordered and adjudged by the Court that the defendant pay to the plaintiff the sum of $10.00 per week for the support of plaintiff and the minor son, pending this action beginning on the 17th day of October, 1941.

It is further considered, ordered and adjudged by the Court that the defendant, William T. Glass, pay to Marsh and Marsh, Attorneys, of Indianapolis, Indiana, for the plaintiff the sum of $50.00, as attorney partial fee for services in preparing plaintiff's cause of action for trial.

WILLIAM E. HUSTON,)
VS) #16491 ORDER OF COURT
CHARLOTTE C. HUSTON.)

Comes now the plaintiff herein, William E. Huston, in person, and by counsel Robert I. Marsh, and comes now the defendant Charlotte C. Huston in person, and by counsel Bess Robbins and Virgil Sears, and this defendant having filed petition for support money pending trial and allowance on attorney fee, the same is now submitted to the court.

And the court having heard the evidence and being duly advised in the premises, now orders the plaintiff herein William E. Huston to pay into the hands of the Clerk of the Hendricks County Circuit Court, the sum of $100.00 per month, payable $50.00 on the 25th and $50.00 on the 10th of each month, for the use and benefit of the defendant and the minor children of the parties hereto, the first payment to be made on October 25th, 1941. The plaintiff is further ordered to pay the sum of $25.00 as temporary allowance on defendant's attorney fee for the use of Bess Robbins and Virgil Sears, payable before trial.

Dated this 18th day of October 1941.

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 20th, 1941.

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

HERMAN JONES)
VS) # 16293
INDIANAPOLIS BREWING)
CO., INC.)

Comes now the defendant, by counsel, and the Court having seen and examined the defendant's demurrer to plaintiff's second amended complaint, heretofore filed, and being sufficiently advised in its premises, now overrules the same, to which ruling of the Court the defendant objects and excepts.

The defendant is ruled to answer second amended complaint herein on or before November 3rd, 1941.

CASSIUS P. CURTIS)
VS) # 15798
JOE R. BECKETT)

Comes now the defendant, by counsel, and files motion to reject and strike out plaintiff's amended and supplemental complaint to enforce guaranty, which motion is in the words and figures following, to-wit: (H.I.).

Oral argument is requested.

STATE OF INDIANA, EX REL,)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Come now the defendants, William Ray Rainwater and Globe Indemnity Company, by counsel, and each separately and severally file demurrer to relators amended complaint herein, which demurrer is in the words and figures following, to-wit: (H.I.).

Oral argument is requested.

HARRY SCHWAB)
VS) # 16253 Judgt. vs Pltf. for Costs.
GEORGE LAMB) J. D. 18, Page 232.

Come now the parties, and the Court having taken this cause under advisement and now being duly advised, finds for the defendant, that the plaintiff take nothing by his complaint herein, and that the defendant recover his costs and expenses laid out and expended herein in the sum of $_____.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff take nothing by his complaint herein, and that the defendant recover his costs from the plaintiff, Harry Schwab, taxed at _____dollars and _____ cents.

JOHN W. MATLOCK)
VS) # 16410 Judgt. vs Pltf. for Costs.
GERTRUDE M. CRAIL) J. D. 18, Page 232.

Now this action having been duly reached on the calender 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, and the plaintiff, John W. Matlock, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

FRANCES DOAN STREIGHTOFF) Judgt. vs Deft. for $14.00
VS) # 16496 ENTRY OF FINAL JUDGMENT and Costs.
HAROLD B. ANDERS) J. D. 18, Page 233.

Comes now the plaintiff by her attorney, John Kendall, and comes now the defendant, Harold B. Andres, in person and the Court having considered the verified complaint in this action and having considered the summons and the sheriff's return of service thereof; and having considered the order to seize real estate and the sheriff's return of service thereof; and the Court having been duly advised in the premises, including the statement of the defendant in open court that he does not desire to file a bond within five (5) days after the date of service of said order to seize and will not file any such bond, It is now found by the Court that the facts stated in the plaintiff's complaint are true and that the plaintiff is entitled to recover the possession of the real estate described in the complaint and

It is accordingly, with the consent of both parties, ORDERED, ADJUDGED, AND DECREED that the plaintiff recover immediate possession of said real estate described in the complaint and that the plaintiff shall further recover the sum of Fourteen ($14.00) Dollars, damages suffered by the plaintiff and for the costs accrued in this action taxed at _____Dollars.

It is furthermore, with the consent of the parties, ORDERED, ADJUDGED and decreed that the plaintiff shall not have process issued upon this judgment until Oct. 20, 1941 after the date of the entry of this judgment.

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 21st, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ANSON S. THOMAS)
VS) # 16495
LAWRENCE APPLEGATE)
OSCAR MANN)

The defendants are ruled to answer complaint herein on or before November 3rd, 1941.

STATE OF INDIANA)
VS) # 8096
DONALD PHILLIPS)

The defendant having duly reported to this Court regularly, the Court now releases defendant from further reporting to the Court and discharges said defendant.

STATE OF INDIANA)
VS) # 8191 Judgt. vs Deft. for $25.00 Fine & Costs.
CHARLES GALAGHER) J. D. 18, Page 233.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Charles Galagher, in his own proper person, and said defendant is duly arraigned in open Court and said defendant pleads not guilty.

The Court fixes the bond of said defendant at $300.00.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Charles Galagher, in his own proper person and by his attorney, John A. Kendall, and said defendant now requests to change his plea herein from not guilty to guilty. Request is granted, and the defendant pleads guilty of possession alcoholic beverages for the purpose of sale without having permit.

It is, therefore, adjudged by the Court that said defendant, Charles Galagher, for the offense by him committed shall be and he is fined $25.00, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 8193 Judgt. vs Deft. for Costs.
JOHN SEAGER) J. D. 18, Page 234.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, John Seager, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty.

Said defendant states that his age is nineteen years.

It is, therefore, adjudged by the Court, that said defendant for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for a term of four months, and that he shall pay the costs of this action, taxed at _____ dollars and _____cents.

AUGUSTUS KEISER)
VS) # 15095 Judgt. vs Pltf. for Costs.
E. A. BURNS, WHOSE) J. D. 18, Page 234.
CHRISTIAN NAME IS)
UNKNOWN)

Comes now the defendant, and files answer to complaint herein in general denial thereof, which answer is in the words and figures following, to-wit: (H.I.).

This cause having been duly reached on trial calander on this date, and the plaintiff is three times loudly called in open court and comes not and herein wholly makes default, on motion of defendant, this cause is now 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, Augustus Keiser, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

DUDLEY T. GOSS, BY HIS NEXT)
FRIEND, RALPH D. GOSS)
VS) # 14922 Judgt. vs Pltf. for Costs.
V. PROCASSIO CARTAGE CO., ET AL.) J. D. 18, Page 234.

This cause having been set for trial on two previous occasions and the attorneys duly notified, and now this action having been duly reached on the trial calendar in its regular order, and being duly called for trial, is now 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 forwant of prosecution , and the plaintiff, Dudley T. Goss, by his next friend, Ralph D. Goss, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

HERBERT CHAMPLIN)
VS) # 16014 Judgt. vs Pltf. for Costs.
MARTHA R. SANDY) J. D. 18, Page 234.

This cause having been previously set on trial calendar, and now this action having been duly reached on the calendar 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, Herbert Champlin, is ordered to pay the costs of this action, taxed at _____ dollars and _____cents.

DOROTHY ARNOLD)
VS) # 16363
MARSHALL ARNOLD)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs 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. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, October 22nd, 1941.

Court met pursuant to adjournment,

Present Hohorable Horace L. Hanna, Judge.

STATE OF INDIANA, ON THE RELATION)
OF LUTHER F. SYMONS, BANK COM-)
MISSIONER OF INDIANA.)
VS) # 13635 ORDER FOR DISPOSITION OF NOTES
HUNTER BANK)

Charles B. Davisson, receiver of the Hunter Bank, having filed his verified petition to compromise certain notes and to put said notes together with uncollectable notes: To take credit for certain set offs, which verified petition is of the following words and figures, to wit, (H.I.).

The court having read said petition and being duly advised now finds for the said receiver and that it is to the best interest of said trust that the prayer therein should be granted.

It is, therefore, ordered that said receiver return to the respective givers the following notes, to wit: one note for $10.00 given by Viola Roberts; one note for $80.00 given by Maurice Herring and Viola Herring; one note for $65.00 given by Martin Duffy and Lillie Duffy; one note for $10.00 given by Hollis Lovell; one note for $200.00 given by Frank Smith; one note for $785.00 given by P. J. Kelly and one note for $100.00 given by Alverta Watt.

Said receiver herein is entitled to a set off of $62.64 against the deposit of E. T. Hughes: That said receiver is entitled to a set off of $176.05 against the note for $175.00 which was given by the Brownsburg Christian Church by E. H. Merritt, said receiver being entitled to said set off on account of the agreement which the former receiver had with the different organizations of said church, in that the deposits of said organizations could be used as a set off on said note and that said receiver has taken said set off: That said receiver is entitled to a set off of $15.00 against the deposit of Ernest Poland: That said receiver is entitled to a set off of $11.14 against the deposit of C. F. Miller: That said receiver is entitled to a set off of $17.54 against the deposit of Melissa Patterson for a note signed by C. W. Patterson: That said receiver is entitled to a set off of $130.87 against the deposit in the name of Sadie Martin. That by the receiver accepting said set offs said receiver is directed to return said notes to the respective makers thereof.

That said receiver is entitled to a set off of $59.66 against the deposit of Kate Walsh in favor of the note for $300.00 which was given by Patrick J. Walsh, son of Kate Walsh, deceased. That this set off is ordered on account of Patrick J. Walsh being entitled to a one-third interest of said property belonging to Kate Walsh. That Elza Henson and Charles Henson executed a note on May 22, 1932 for $200.00: That the said Charles Henson has already been released from any liability: That J. W. Henson, father of Elza Henson, has a deposit in said bank of $374.70; that the said J. W. Hendson is deceased and is survived by five heirs; that the said receiver is entitled to a set off against the deposit of J. W. Henson in favor of the note given by his son, Elza Henson, in the sum of $59.96 and that said receiver is hereby directed to place said Elza Henson note with the other worthless notes of said trust. Said receiver is hereby ordered and directed to pay the note dated May 18, 1932 for $22.00 on which

there has been paid $11.00 with the other uncollectable notes and worthless assets of said estate.

Said receiver is hereby directed to put the $25.00 note dated May 31, 1932 given by A. D. Canaday with the other uncollectable notes of said trust.

Said receiver is hereby directed to settle the note dated June 1, 1932 given by O. N. Fordyce for the sum of $10.00 and said receiver is further directed to return said note to the said O. N. Fordyce or his legal representative.

STATE OF INDIANA, ON THE RELATION)
OF LUTHER F. SYMMONS, BANK COM-)
MISSIONER OF INDIANA)
VS) # 13635 ORDER AUTHORIZING SETTLEMENT OF NOTE
HUNTER BANK)

Charles B. Davison, receiver of the Hunter Bank, having filed his verified petition praying therein for an order authorizing him to settle the Mell Stonebraker a $42.00 note for $5.00, which verified petition is of the following words and figures, to wit, (H.I.).

The court having read said petition and being duly advised now finds for the receiver and that it is to the best interest of said bank to settle said note for $5.00.

It is, therefore, ordered and said receiver is hereby given authority to settle the $42.00 note given by Mell Stonebreaker for the sum of $5.00 cash.

Said receiver also files petition for distribution and attorney fees, which petition is in the words and figures following, to-wit: (H.I.).

JOHN R. SUMMERS)
VS.) CAUSE NUMBER 16384 ORDER
LAFE MURPHY)

Comes now the defendant and files interrogatories to be answered by said plaintiff, numbered one to three inclusive and moves the court for a rule requiring said plaintiff to answer said interrogatories. The court now sustains said motion and said plaintiff is ruled to answer said defendant's interrogatories by on or before November 3rd, 1941.

ALICE ELLIS)
VS) # 16426
FRANK ELLIS)

Comes now the defendant and cross-complainant, Frank Ellis, by counsel, and files motion for new trial, which motion is in the following words and figures, to-wit: (H.I.).

Oral argument is requested.

GEORGE ISENHOWER, A MINOR,)
BY HIS NEXT FRIEND ANNA ISENHOWER.)
VS) # 16469
GEORGE DAVIS, A MINOR, ET AL.)

The Court having seen and examined the defendant, George Davis' demurrer to plaintiff complaint, hereintofore filed, and being sufficiently advised in its premises, now sustains said demurrer.

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

LILLIAN A. L. OBERTING)
VS) # 15426
ANNA MAAR)

Comes now the plaintiff, and files motion to reconsider Court's ruling on defendant's demurrer to second amended complaint, which motion is in the words and figures following, to-wit: (H.I.).

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 23rd, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

JOHN W. MATLOCK)
VS) # 16410 On Account of Change of Venue from County.
GERTRUDE M. CRAIL)

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. Six Dollars and - - - Cents ($6.00) in the case of John W. Matlock vs. Gertrude M. Crail 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 sufficient voucher, and authority for so doing.

October 23rd, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

PEOPLE'S LOAN & TRUST CO.,)
ET AL., ETC.)
VS) # 16411 On Account of Change of Venue from County.
JOHN O. SPAHR)

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: Six Dollars and - - - Cents ($6.00) in the case of People's Loan & Trust Co., et al., etc. vs. John O. Spahr 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 sufficient voucher, and authority for so doing.

October 23rd, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

JOHN ALLEN)
VS) # 16152 On Account of Change of Venue from County.
MARY S. SUTHERLAND)
DONALD A. SUTHERLAND)

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. Six Dollars and - - Cents ($6.00) in the case of John Allen vs. Mary S. Sutherland, 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 sufficient voucher, and authority for so doing.

October 23rd, 1941. Horace L. Hanna,

Judge 55th Judicial Circuit of Indiana

SOLON M. McNAB, ETC.)
VS) # 15649 On Account of Change of Venue from County.
RAY HERETH, 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. Six Dollars and - - - Cents ($6.00) in the case of Solon M. McNab, etc. vs. Ray Hereth, 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 sufficient voucher, and authority for so doing.

October 23rd, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

JOHN T. TRAVIS)
VS) # 16348 On Account of Change of Venue from County.
CHARLOTTE ANDERSON)

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. Six Dollars and - - - Cents ($6.00) in the case of John T. Travis vs. Charlotte Anderson 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 sufficient voucher, and authority for so doing.

October 23rd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

AUGUSTUS KEISER)
VS) # 15095 On Account of Change of Venue from County.
E. A. BURNS, 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. Six Dollars and - - - Cents ($6.00) in the case of Augustus Keiser vs. E. A. Burns, 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 sufficient voucher, and authority for so doing.

October 23rd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

PEARL WILSON, ADMINISTRATRIX)
ESTATE OF LAURA M. GILLASPY)
VS) # 16318 On Account of Change of Venue from County.
WILLIS E. McCONNAHA)

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. Six Dollars and - - - Cents ($6.00) in the case of Pearl Wilson, Admrx. Est. of Laura M. Gillaspy vs. Willis E. McConnaha

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 sufficient voucher, and authority for so doing.

October 23rd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

DUDLEY T. GOSS, BY HIS)
NEXT FRIEND, RALPH D. GOSS)
VS) # 14922 On Account of Change of Venue from County.
V. PROCACCIO CARTAGE 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. Six Dollars and - - - Cents ($6.00) in the case of Dudley T. Goss, by his next friend, Ralph D. Goss vs. V. Procaccio Cartage 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 sufficient voucher, and authority for so doing.

October 23rd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

ROBERT T. TOMPKINS)
VS) # 16385 On Account of Change of Venue from County.
HAROLD KATTAU)

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 Robert T. Tomplins vs. Harold Kattau 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 sufficient voucher, and authority for so doing.

October 23rd, 1941.

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

HERBERT CHAMPLIN)
VS) # 16014 On Account of Change of Venue from County.
MARTHA R. SANDY)

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. Thirty-one Dollars and - - - Cents ($31.00) in the case of Herbert Champlin vs. Martha R. Sandy 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 sufficient voucher, and authority for so doing.

October 23rd, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

HARRY S. HOWARD, ET AL.)
VS) # 16341 On Account of Change of Venue from County.
GEORGE A. REMSTER)

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. Fifteen Dollars and Fifty Cents ($15.50) in the case of Harry S. Howard, et al. vs. George A. Remster 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 sufficient voucher, and authority for so doing.

October 23rd, 1941.

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

OLLIE PIERSOL, ET AL.)
VS) # 16412
FRANK E. HAYS, EXECUTOR, ETC.)

Comes now the defendant, by counsel, and files motion to reject and strike from the files the complaint herein, which motion is in the words and figures following, to-wit: (H.I.).

JAMES F. ROBINSON)
VS) # 16480 Judgt. vs Pltf. for Costs.
H. C. BROADSTREET, ETC., ET AL.) J. D. 18, Page 235.

Come now the parties, and the plaintiff moves the Court to dismiss his verified petition for restraining order at plaintiff's cost.

The Court being duly advised, now sustains said motion, and said verified petition for restraining order is dismissed at plaintiff's cost.

It is, therefore, considered, ordered and adjudged by the Court that the verified petition for restraining order be and the same is hereby dismissed, and the plaintiff, James F. Robinson, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

WILLIAM B. BAILEY)
VS) # 16509
IRVIN J. MEAL)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 24th, 1941.

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

STATE OF INDIANA, EX REL)
EMMETT HUCKLEBERRY, ET AL.)
VS) # 16097 On Account of Change of Venue from County.
JESSIE M. DOUGLAS, 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 Forty-Six Dollars and Ten Cents ($246.10) in the case of State of Ind., Ex. Rel Emmett Huckleberry, et al. vs. Jessie M. Douglass, 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 sufficient voucher, and authority for so doing.

October 24th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250 On Account of Change of Venue from County.
PERRY STADIUM, INCORPORATED, 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 Ninety-Six Dollars and Ten Cents ($296.10) in the case of Martha MacDougall Emhardt vs. Perry Stadium, Incorporated, 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 sufficient voucher, and authority for so doing.

October 24th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

RAYMOND RUSE,)
ARTHUR McGLOTHLIN,)
ARTHUR McGLOTHLIN, GUARDIAN)
FOR KENNETH McGLOTHLIN.)
VS) # 16075
GEORGE E. RUSE,)
ELVA RUSE,)
HENRY BRUNES.)

Come now the parties, and the Court now sustains motion to strike out amended petition and motion of Constant C. Abeele to intervene and for new trial, to which ruling of the Court Constant C. Abeele objects and excepts, and prays for appeal to the Supreme Court of Indiana.

The Court being duly advised, now grants said appeal, and appeal bond is fixed at $500.00 with the United States Fidelity and Guaranty Company surety, which surety is now approved, said bond to be filed in thirty days and ninety days is given in which to file all bills of exceptions.

ANNA CRAGUE)
VS) # 16510
EDWARD CRAGUE)

Comes now the plaintiff, by counsel, and files affidavit for payment to her for court costs and attorney's fee, which affidavit is in the words and figures following, to-wit: (H.I.).

The Court now orders notice issued to the Sheriff of Clay County, Indiana, to be served on the defendant, returnable November 8th, 1941, at 9:00 o'clock A. M.

ALVA R. SMITH)
VS) # 16333
SPEEDWAY STATE BANK)

Comes now the defendant, and files motion for new trial, which motion is in the following words and figures, to-wit: (H.I.).

FREDONIA ELLIOTT BY)
SHED ELLIOTT NEXT FRIEND)
VS) # 16398
STARLING W. JAMES)

Comes now the plaintiff, and files motion to strike out parts of answer, which motion is in the following words and figures, to-wit: (H.I.).

DELLA SMALL DAVIS, COMMONLY)
KNOWN AS DELLA SMALL)
VS) # 16335
SAM DAVIS, ET AL.)

All defendants are ruled to answer complaint herein on or before November 3rd, 1941.

JAMES J. COYNE)
VS) # 16492
THE INDIANAPOLIS UNION)
RAILWAY CO., ET AL.)

Come now the defendants, The Indianapolis Union Railway Company, and The Belt Railroad & Stockyards Company, by counsel, and file separate and several motion to strike out parts of complaint, which motion is in the words and figures following, to-wit: (H.I.).

ULYSSES S. LESH, ET AL.)
VS) # 16424
TOM R. ROBERTS, ET AL.)

The Court being duly advised, now sustains motion of the defendant, Tom R. Roberts, for leave to withdraw answer and to reconsider ruling on demurrer, to which ruling of the Court the plaintiff objects and excepts.

The Court fixes November 3rd, 1941, at 1:00 o'clock P. M. for oral argument on demurrer.

IVA F. CROUCH) Judgt. vs Deft. for $10.00 per wk., $50.00 Atty's. Fee, and amount sufficient to pay costs.
VS) # 16499 ORDER REQUIRING PAYMENT OF ALLOWANCE J. D. 18, Page 235.
GEORGE W. CROUCH) BY DEFENDANT TO PLAINTIFF

Comes now the plaintiff by her attorney, John A. Kendall, and comes the defendant by his attorney, John T. Hume, and it appearing to the satisfaction of the court by the notice issued by said plaintiff herein that the defendant had been duly notified of said petition filed by said plaintiff and that the same has been served on him by the Sheriff of Hendricks County which return is of the following words and figures, to wit, (H.I.). And this being the date set for said hearing: Said plaintiff's affidavit for allowance pending action is submitted to the court for hearing, trial and decree.

And the court being duly advised in the premises finds for the plaintiff and that she is entitled to have the sum of $10.00 per week paid for the support and maintenance for herself and child pending this action and that the time for which the said defendant shall pay said sum shall commence the 9 day of October, 1941 and that said sum shall be paid until further ordered, the first payment to be paid on October 30, 1941 in the sum of $30.00 and the sum of $10.00 per week each week there after: That said plaintiff is entitled to the custody of said child until further order of the court and that said defendant should pay to plaintiff's attorney the sum of $50.00 before date of trial and that the support payment should be paid to Walter E. Hadley, Clerk.

It is, therefore, ordered and adjudged by the court that said defendant herein pay to Walter E. Hadley, Clerk, the sum of $10.00 per week for the care and support of said plaintiff and her minor child pending this action: That said defendant pay the sum of $30.00 on October 30 and $10.00 per week there after and that the Clerk of the said court pay said money out to Iva F. Crouch: That said defendant pay to plaintiff's attorney the sum of $50.00 the same to be paid before date of trial herein: That said defendant pay to said plaintiff before date of trial the sum of money sufficient to pay the court costs.

DOROTHA OREM)
VS) # 16464
ROBERT W. ROUSCH AND)
WALTER KROME, DOING)
BUSINESS AS MODEL BAKING CO.)

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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

PAULINE T. WILLS)
VS) # 16440 Judgt. vs Deft. for $25.00 Alimony, $25.00 Atty. Fee. Judgt. vs Pltf. for Costs.
FRANK N. WILLS) J. D. 18, Page 235.

Comes now the plaintiff, and files affidavit that the defendant is not now in military service, which affidavit is in the words and figures following, to-wit: (H.I.).

The plaintiff now shows to the Court the summons and return thereon issued to the Sheriff of Marion County, Indiana, and served on the defendant herein, which summons and return thereon is in the following words and figures, to-wit: (H.I.), and Court examining same, finds that said defendant has been duly served with process to appear herein more than ten days before the 1st day of September, 1941, at which time said cause was made returnable by endorsement on plaintiff's complaint, which endorsement was duly signed by plaintiff's attorneys. On motion of the plaintiff, said defendant is now three times loudly called in open court and comes not and herein wholly makes default.

On motion of the plaintiff, this cause is now 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 her complaint are true and that she is entitled to a absolute divorce from the defendant, $25.00 alimony and to attorney fees in the sum of $25.00, payable to Emsley W. Johnson, her attorney, all at the plaintiff's cost.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony existing between 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, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Frank N. Wills, the sum of $25.00 alimony and attorney fees in the sum of $25.00, payable to Emsley W. Johnson, her attorney.

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

DOROTHA OREM)
VS) # 16464 On Account of Change of Venue from County.
ROBERT W. ROUSCH &)
WALTER KROME, D/B/A)
MODEL BAKING COMPANY)

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. Six Dollars and - - - Cents ($6.00) in the case of Dorotha Orem vs. Robert W. Rousch & Walter Krome, D/B/A Model Baking Company 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 sufficient voucher, and authority for so doing.

October 24th, 1941.

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, October 25th, 1941.

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

GENERAL COURT ALLOWANCE FOR SEPTEMBER TERM, 1941.

Lillian Priest, Court Reporter	$240.00
Walter E. Hadley, Clerk Per Diem for Attending Court, Addmittance for Patients to State Institutions, Change of Venue Claims and Stamps	222.50
Ernest Bell, Bailiff	136.00
Thad Ryner, Jury Commissioner	3.00
Harry Thompson, Jury Commissioner	3.00
Hendricks County Republican	35.00
Ethel Pritchett, Attendent	3.00
John Buckingham, Transportation	8.00
Raymond N. Klass	10.00
Callaghan & Co.	10.00
The American Law Book Co.	10.00
West Publishing Co.	20.00
Lawyers Co-Operative Publishing Co.	7.50
Bancroft Whitney Co.	10.00
PETIT JURY :	
Mrs. Gertrude Hines	25.90
Ralph Jones	23.10
John Mercer	12.00
Marshall Eggers	24.50
Wm. C. Zaring, Jr.	22.40
Paul K. Christie	22.40
Asa Scott	12.40
Oscar Montgomery	10.60
Judson Baxter	24.50
Robert Lowe	12.40
Stewart Fletcher	24.50
Carl Harvey	20.20
Virgil Denny	22.40
Loren L. Gentry	15.60
Mrs. Fern Warrick	21.50
Walter E. Pierson	6.40
Harman W. Ferguson	3.90
James Edwards	3.80
Arthur Beil	3.80
Herman Cline	3.90
Oral Broadstreet	3.90
Hersel Garner	4.10
Mrs. Inez Waters	3.80
Victor Underwood	3.00
Russell Montgomery	3.10

Albert Sloan	3.90
Housman Cafe, 39 meals @ .50¢	19.50
Rhodes Cafe, 26 lunches @ .25¢	6.50
GRAND JURY:	
Fletcher McCalment	7.20
Loyd Johnston	7.00
Leo Blessing	5.40
Mrs. Hazel Lambert	6.40
Asa Page	7.20
Thomas Merritt	3.50
T O T A L	$ 1,118.70

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, 1941, of said court.

And Court adjourned until court in course,

Records read and signed in open court.

Horace F Hanna, Judge.

GRAND AND PETIT JURORS DRAWN FOR THE NOVEMBER TERM, 1941.

BE IT REMEMBERED, That on the 27th day of October, 1941, Thad J. Ryner and Harry G. Thomson, 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, 1941, of this court, viz:

1. John Shelton	Marion	Township
2. Mary Eunice Swain	Union	Township
3. Cyrus Stanley	Clay	Township
4. Oscar English	Center	Township
5. Hezzie Masten	Franklin	Township
6. Claude Worrell	Washington	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, 1941, of this court, viz:

1. Ray Stevenson	Middle	Twp.	13. James Kibby	Marion	Twp.
2. Anson Kellems	Marion	Twp.	14. George Edick	Guilford	Twp.
3. Henry L. Gentry	Center	Twp.	15. Jessie M. Lowe	Middle	Twp.
4. Everett Robinson	Washington	Twp.	16. Ora Groover	Eel River	Twp.
5. Albert Gable	Washington	Twp.	17. Walter H. Bulion	Marion	Twp.
6. Enos Hutchen	Guilford	Twp.	18. Gayland Good	Center	Twp.
7. G. A. Adams	Eel River	Twp.	19. Ed Misch	Washington	Twp.
8. Anna Christie	Clay	Twp.	20. Noble Buchanan	Brown	Twp.
9. Ralph Pepper	Lincoln	Twp.	21. Frank Alexander	Liberty	Twp.
10. Donald Lawson	Marion	Twp.	22. Robert L. Worrell	Lincoln	Twp.
11. Isaac Schenck	Middle	Twp.	23. Lowell Barrow	Franklin	Twp.
12. Nellie White	Franklin	Twp.	24. Paul Martin	Eel River	Twp.

Attest: Walter E Hadley, Clerk.

BE IT REMEMBERED: That on the 28th day of October, 1941, 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) # 8195
W. H. PERKINS, WHOSE)
CHRISTIAN NAME IS)
UNKNOWN)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, W. H. Perkins, in his own proper person, and said defendant is duly arraigned in Vacation and pleads not guilty of public intoxication.

The Court fixes the defendant's bond at $100.00.

Attest: Walter E Hadley, Clerk.

Monday Morning, November 3rd, 1941.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the November Term, 1941, 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 November, 1941, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
George W. Hadley, Prosecuting Attorney.
Wiltsie J. Stuart, Sheriff.
Walter E. Hadley, Clerk.

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

LOUIS P. GREEN)
VS) # 15963
INDIANAPOLIS RAILWAYS, INC.)
PEOPLES MOTOR COACH CO.)

Comes now Clyde H. Jones, and withdraws his appearance as attorney for Louis P. Green, which is in the words and figures following, to-wit: (H.I.).

INDIANAPOLIS LUMBER COMPANY)
VS) # 16228
FLOYD D. WILLIAMS AND)
OLLIE D. WILLIAMS, ET AL.)

Come now the defendants, Floyd L. Williams and Ollie D. Williams, and file answer to plaintiff's complaint herein in two paragraphs, which answer is in the words and figures following, to-wit: (H.I.).

The defendants, Floyd L. Williams and Ollie D. Williams, also file answer in two paragraphs to cross-complaint of Perfection Point and Color Company, which answer is in the words and figures following, to-wit: (H.I.).

VADA MASTEN)
VS) # 16513
SANDERS W. MASTEN)

Comes now the defendant, and files cross-complaint herein, which cross-complaint is in the words and figures following, to-wit: (H.I.).

GLADYS ROGERS)
VS) # 16490
LEON ROGERS)

Comes now John A. Kendall, Attorney, and files motion to withdraw his appearance herein for plaintiff herein, 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 premises, now sustains said motion and appearance is withdrawn.

NETTIE OSBORNE)
VS) # 16448
ALFRED T. McCLAIN)
RITA McCLAIN)

Comes now the defendants, and file motion to strike out parts of complaint herein, which motion is in the words and figures following, to-wit: (H.I.).

JANE OCHELTREE)
VS) # 16409 Judgt. vs Pltf. for Costs.
BEECHER B. WALKER, ET AL.) J. D. 18, Page 236.

Comes now the plaintiff, and files motion to dismiss this cause at plaintiff's cost, 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 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, Jane Ocheltree, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

ORONA SUMMERS)
VS) # 16449
ALFRED T. McCLAIN)
RITA McCLAIN)

Come now the defendants, and file motion to strike out parts of complaint herein, which motion is in the words and figures following, to-wit: (H.I.).

WILLIAM SUMMERS)
VS) # 16447
ALFRED T. McCLAIN)
RITA McCLAIN)

Come now the defendants, and file motion to strike out parts of complaint herein, which motion is in the words and figures following, to-wit: (H.I.).

MEREDITH E. OSBORNE)
VS) # 16446
ALFRED T. McCLAIN)
RITA McCLAIN)

Come now the defendants, and file motion to strike out parts of plaintiff's complaint, which motion is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 16404
RALPH HARRIS)
EDWARD E. SHUFELTON)

Comes now the plaintiff and files motion for pre-trial conference, which motion is in the words and figures following, to-wit: (H.I.).

MARY ELLEN BORDERS)
VS) # 16381
LEON BAYLISS)
HAZEL BAYLISS)

Comes now the plaintiff, and files petitinn to reconsider ruling of the Court on demurrer of defendants' to demurrer to plaintiff's complaint, which petition is in the words and figures following, to-wit: (H.I.).

ROBERT COX)
VS) # 16379
FRED C. HUNT)

The defendant is ruled to answer complaint herein on or before November 15th, 1941.

ERNEST STANLEY)
VS) # 16484
ELSWORTH STUART, DOING)
BUSINESS AS HOOSIER GARAGE,)
JOHN DEERE PLOW COMPANY.)

All defendants are ruled to answer complaint herein on or before November 15th, 1941.

WILLIAM A. ENGLES, JR., BY)
HIS NEXT FRIEND WILLIAM A.)
ENGLES, SR.)
VS) # 16342
WILEY DORSETT)

The Court being duly advised, now sustains motion to require the defendant to comply with Supreme Court rules 1-3, and the defendant is ruled to answer on or before November 15th, 1941.

ULYSSES S. LESH, ET AL.)
VS) # 16424
TOM R. ROBERTS, ET AL.)

Come now the parties, and oral argument is had on defendant, Roberts's demurrer to plaintiff's complaint, and the Court takes ruling under advisement.

ELIZABETH FRIEDMAN)
VS) # 16408
GLENN E. BLACK)

Comes now the plaintiff 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: (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, costs paid.

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

ANSON S. THOMAS)
VS) # 16495
LAWRENCE APPLEGATE)
OSCAR MANN)

Comes now the defendant, Oscar Mann, by counsel, and files answer to complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

CLINTON C. PRATHER)
VS) # 16406
LEON FRANK, ET AL.)

Come now Clinton C. Prather and Lora E. Prather, plaintiffs, and file motion to dismiss said cause at the plaintiffs' cost, the costs on dismissal having heretofore been paid, 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 premises, now sustains said motion and this cause is dismissed, costs paid.

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

THOMAS M. RYBOLT, ET AL., ETC.)
VS) # 16355
THOMAS A. DUKE, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

GRAND JURY EMPANELLED FOR THE NOVEMBER TERM, 1941.

The Clerk is ordered to issue venire for above named grand-jurors requiring them to be and appear in this Court on Wednesday, November 5th, 1941, at 9:00 o'clock A. M. for service.

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 4th, 1941.

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

KATHERINE S. DRAGOO)
VS) # 16354
WILLARD DENNY)

Comes now M. J. Murphy, and withdraws his appearance herein for the defendant.

STATE OF INDIANA)
VS) # 8174
LEWIS M. CARR)

It is now ordered by the Court that all property seized by the Sheriff, as unlawfully held by the defendant herein, be destroyed.

MYRTLE EGGERS)
VS) # 16383 Judgt. vs Deft. and Cross-Complainant for Costs.
OTTIE A. EGGERS) J. D. 18, Page 236.

This cause of action having been duly reached on the trial calendar in its regular order and being duly called for trial, is dismissed for want of prosecution, and neither party appearing, the cross-complaint is also dismissed for want of prosecution all at the cost of the defendant and cross-complainant.

HAROLD H. SMITH)
VS) # 16517
LOLA MANNAN)
W. H. BREEDLOVE)

Comes now the Clerk of the Morgan Circuit Court, and files transcript and papers on change of venue from the Morgan Circuit Court, which transcript and papers are 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, November 5th, 1941.

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

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM)
ASSN., INC.)

All defendants are ruled to answer complaint herein on or before November 17th, 1941.

STATE OF INDIANA)
VS) # 8195 Judgt. vs Deft. for Costs.
W. H. PERKINS, WHOSE) J. D. 18, Page 236.
CHRISTIAN NAME IS UNKNOWN)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant, W. H. Perkins, is duly arraigned in open Court on count 2 of affidavit herein, and said defendant pleads guilty.

It is, therefore, adjudged by the Court that said defendant, W. H. Perkins, Whose Christian Name is Unknown, be and he is sentenced to the Indiana Penal Farm for ten days, and that he pay the costs of this action, taxed at _____ dollars and _____ cents.

The Court now suspends the sentence to the Indiana Penal Farm, and allows the defendant to go on his own recognizance, so long as he behaves well.

PAUL H. SULLIVAN)
HARRIETT HOFFMAN)
VS) # 16395
MARION HARDY ET. ALS.) E N T R Y

Come now the plaintiffs by their attorney and comes also the commissioner heretofore appointed and files his further report of the sale of the whole of the real estate in this proceedings ordered sold, which is in words and figures as follows, to-wit: (H.I.), from which it appears and the court so finds that said commissioner has heretofore filed an appraisement of the real estate ordered sold together with his report showing due proof of publication and the posting of notices of said sale and that on the 29th day of September, 1941, being the day fixed therefor, he sold the real estate therein described and ordered sold to Raymond Andrews at private sale for cash for the amount of $2200.00, being more than the appraised value thereof and the highest and best bid received therefor, and thereupon the court ordered this proceeding continued for a period of 30 days from the date of said sale and approved such report and the acts of said commissioner therein reported.

And it appearing to the court that more than 30 days have elapsed since the date of said sale and that said purchaser has complied with the terms of said sale by paying to said commissioner the amount of said purchase price, to-wit: $2200.00, in cash, which cash is now brought into court by said commissioner.

And the court being sufficiently advised in the premises now in all things approves said report of said commissioner and ratifies and confirms said sale; and said commissioner is ordered by the court to execute to said purchaser a deed of conveyance of the whole of said real estate.

And now said commissioner reports such deed so executed, and the same being examined by the court is approved and delivered to said purchaser.

And the court, upon proof heard, now allows said commissioner for his services the amount of $110.00, and allows George W. Hadley, as plaintiffs' counsel and commissioner's counsel for his services the amount of $125.00.

And the court further orders and directs said commissioner, after the payment of all proper costs of this proceedings and necessary expenses thereof and allowances, to distribute, without delay, the remainder of the proceedings of said sale among the parties hereto in proportion to their respective interests therein, as heretofore found, adjudged, 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 payments.

And time is given and the cause is continued for report of said commissioner.

CLYDE GORDON)
VS) # 16518
NEW YORK CENTRAL)
RAILROAD COMPANY)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

GRAND JURORS ENTER UPON THEIR DUTIES.

Come now the Grand Jury, John Shelton, Mary Eunice Swain, Cyrus Stanley, Oscar English, Hezzie Masten and Claude Worrell, each being duly qualified to serve as a member thereof and said Grand Jury is duly impanelled.

And now said Grand Jury is duly sworn as provided by law, and are duly charged and instructed by the Court, as provided by law, and said Grand Jury now enter upon their duties.

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

Horace L. Hanna, Judge.

Thursday Morning, November 6th, 1941.

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

EDWARD E. THOMAS)
VS) # 16340
RUTH E. THOMAS)

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.

Evidence is heard, and the Court takes matter under advisement.

CONSOLIDATED PRODUCTS CO.,)
AN ILLINOIS CORPORATION)
VS) # 16362
RAYMOND BEELER)

Comes now the plaintiff, and files and moves the Court to dismiss this cause at the cost of the plaintiff, 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 premises, now dismisses this cause, costs paid.

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

ALBERT E. UHL, EX. OF THE ESTATE)
OF LETHA R. HUBINGER, DECEASED.)
VS) # 16324
THE HOME INSURANCE CO. OF NEW YORK.)

Comes now the plaintiff, by counsel, and files demurrer to plea in abatement, which demurrer is in the following words and figures, to-wit: (H.I.).

Marshall D. Abrams
Marshall D. Abrams - Special Judge.

BERTHA CASHEVO)
VS) # 16519.
A. E. TUCKER, WHOSE)
CHRISTIAN NAME IS)
UNKNOWN)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 7th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ULYSSES S. LESH, ET AL.)
VS)# 16424
TOM R. ROBERTS, ET AL.)

Come now the plaintiffs, and file supplemental brief on demurrer, which supplemental brief is in the words and figures following, to-wit: (H.I.).

DELLA SMALL DAVIS, COMMONLY)
KNOWN AS DELLA SMALL)
VS) # 16335
SAM DAVIS, ET AL.)

Come now the defendants, and file answer to plaintiff's complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

THE DEPARTMENT OF INSURANCE)
OF THE STATE OF INDIANA)
VS) # 16508
HELEN J. WRIGHT, ET AL.)

Come now the defendants, by counsel, and file joint, separate and several answer to plaintiff's complaint, which answer is in the words and figures following, to-wit: (H.I.).

GRAND JURY FOR NOVEMBER TERM , 1941, IS DISMISSED.

Comes now the Grand Jury, now in session for the November Term of this court, and presents in open court the following indictments, which are now examined by the court and are now ordered by the Court to be filed and are now filed by the Clerk of this Court and are causes numbered 8196, 8197, 8198 and 8199, in this court.

Prosecutor moves the Court to order Clerk to issue warrants on each of the above indictments. Motion is sustained, and it is so ordered.

Grand Jury further reports that they have duly inspected the Hendricks County Jail and file their report as follows: (H.I.). Examined and the Clerk is directed to present said report to Board of Commissioners at their next session.

Grand Jury further reports that they duly made inspection of County Home and file their report as follows; (H.I.).

Examined and the Clerk is directed to present said report to the Board of Commissioners at their next session.

Grand Jury is now dismissed, subject to call any time during this November Term, 1941, of this court.

Horace L. Hanna, Judge.

MAGGIE SHIRLEY)
VS) # 16507 JUDGMENT FOR POSSESSION Judgt. vs Deft. for $10.00 & Costs.
EARL LEWIS) J. D. 18, Page 237.

Comes now the plaintiff in person and by her attorney and it appearing to the satisfaction of the court by the summons and the Sheriff's return thereon, which are as follows, to wit, (H.I.). 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 defendant is now three times loudly called in open court but comes not and herein wholly makes default, whereupon said cause is submitted to the court for hearing and trial.

The court having heard the evidence and being duly advised finds that the plaintiff's complaint is true and correct and that the defendant unlawfully holds possession of the real estate herein described and that the plaintiff has been damaged in the sum of $10.00.

It is, therefore, considered, and adjudged by the court that the plaintiff is the owner in fee simple of the following described real estate, to wit:

"S½ of lot no. 28 in block 19 in Carter's Fourth Addition to the town of Plainfield, Hendricks County, Indiana."

And that said plaintiff is entitled to the immediate possession thereof from said defendant. It is further considered and adjudged that the plaintiff recover of the defendant the sum of $10.00 damages, together with her costs and charges in this cause laid out and expanded.

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 8th, 1941.

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

ULYSSES S. LESH, ET AL.)
VS) # 16424
TOM R. ROBERTS, ET AL.)

Comes now the defendant, Tom R. Roberts, and files motion for leave to amend previous motion, which motion is in the words and figures following, to-wit: (H.I.).

The Court being duly advised, now grants said leave, all as shown in amended motion.

The defendant, Tom R. Roberts, files brief on demurrer, which brief is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA, EX REL)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Come now the plaintiffs, and file second amended complaint, which second amended complaint is in the words and figures following, to-wit: (H.I.).

The defendants are ruled to answer second amended complaint on or before November 18th, 1941.

EAGLE MACHINE CO., INC.)
VS) # 16315
JOSEPH E. LYNCH)

Comes now the defendant, and files answer and tender with Clerk, which answer and tender are in the words and figures following, 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 10th, 1941,

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

VADA MASTEN)
VS) # 16513
SANDERS W. MASTEN)

Come now the parties, and hearing is had on temporary allowance for maintenance of plaintiff pending litigation and for payment of attorney fees.

The Court finds that defendant, Sanders W. Masten, should pay $2.50 each week to the Clerk's office of this court to be paid by the Clerk to said plaintiff, Vada Masten, for her support. The first payment to be made November 10th, 1941, and $2.50 each week thereafter. The Court also orders defendant to pay $25.00 as attorney fees to plaintiff's attorneys, said attorneys' fees to be paid on or before thirty days from this date.

It is, therefore, ordered by the Court that the defendant, Sanders W. Masten pay $2.50 each week, to the Clerk's office of this court to be paid by the Clerk to said plaintiff, Vada Masten, for her support. The first payment to be made November 10th, 1941, and $2.50 each week thereafter. The Court also orders defendant, Sanders W. Masten, to pay $25.00 as attorney fees to plaintiff's attorneys, said attorneys' fees to be paid on or before thirty days from this date.

GEORGE ISENHOWER, A MINOR,)
BY HIS NEXT FRIEND, ANNA)
ISENHOWER)
VS) # 16469
GEORGE DAVIS, A MINOR, ET AL.)

The defendants are ruled to answer amended complaint herein on or before November 20th, 1941.

EARL F. HITES)
LAURA M. HITES) Judgt. vs Deft. for $35.00
VS) # 16514 JUDGMENT FOR POSSESSION and Costs
ELSWORTH GOODSON) J. D. 18, Page 237.

Comes now the plaintiff in person and by their attorney and it appearing to the satisfaction of the court by the summons and the Sheriff's return thereon which are as follows, to wit, (H.I.). That the defendant has been duly served with process for more than ten days before the day fixed by the plaintiffs, by endorsement on their complaint, for the defendant to appear and answer: Said defendant is now three times loudly called in open court but comes now and herein wholly makes default, whereupon said cause is submitted to the court for hearing and trial.

The court having heard the evidence and being duly advised finds that the plaintiffs' complaint is true and correct and that the defendant unlawfully holds possession of the real estate herein described and that the plaintiffs has been damaged in the sum of $35.00.

It is, therefore, considered, and adjudged by the court that the plaintiffs are the owners in fee simple of the following described real estate, to wit:

"Pt-NW¼-Section 4, Township 15, North Range
1 West, containing 9.58 acres, more or less."

And that said plaintiffs are entitled to the immediate possession thereof from said defendant. It is further considered and adjudged that the plaintiffs recover of the defendant the sum of $35.00 damages, together with their costs and charges in this cause laid out and expanded.

STATE OF INDIANA)
VS) # 8197
ROY RIDDLE)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Roy Riddle, in his own proper person, and said defendant is duly arraigned in open court and said defendant pleads not guilty of operating vehicle on public highway without driver's license.

The Court fixes bond at $3000.00, said bond to cover cases No. 8196, No. 8197 and 8198 of this court.

STATE OF INDIANA)
VS) # 8198
ROY RIDDLE)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Roy Riddle, in his own proper person, and said defendant is duly arraigned in open court, and said defendant pleads not guilty of resisting arrest.

The Court fixes bond at $3000.00, said bond to cover cases No. 8196, No. 8197 and 8198 of this court.

STATE OF INDIANA)
VS) # 8196
ROY RIDDLE)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes aos the defendant, Roy Riddle, in his own proper person, and said defendant is duly arraigned in open court and said defendant pleads not guilty.

The Court fixes bond at $3000.00, said bond to cover cases No. 8196, No. 8197 and No. 8198 of this court.

The defendant shows the Court that he has no funds with which to employ an attorney to defendant said cause, and the Court being duly advised, appoints Charles V. Sears, attorney at this bar, as attorney for said defendant herein, said employment to cover causes No. 8196, No. 8197 and No. 8198 of this court.

ALICE ELLIS)
VS) # 16426
FRANK ELLIS)

Comes now the defendant and cross-complainant, Frank Ellis, and the court being duly advised now overrules his motion for new trial, to which ruling of the Court the defendant and crosscomplainant objects and excepts. The defendant now prays appeal to appellate Court of Indiana, and the Court fixes appeal bond at $500.00. The defendants suggests as bondsman, Trabue Poole of Marion County as surety on said bond. The Court being sufficiently advised, now approves said surety, appeal granted, and thirty days are given

to file appeal bond and sixty days given to file bills of exception.

Comes now the defendant and files his appeal bond with Trabue Poole as surety, which bond is in the words and figures following, to-wit: (H.I.). The Court having seen and examined said bond now approves the same.

GRAND JURY EMPANELLED FOR THE NOVEMBER TERM, 1941.

The Clerk is ordered to issue venires for the above named grand jurors, requiring them to be and appear on Wednesday, November 12th, 1941, 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 R. Hanna, Judge.

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(N O C O U R T)

Wednesday Morning, November 12th, 1941.

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

MARY E. MARTIN)
VS) # 16520
EMERALD MARTIN)
SADIE MARTIN)

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

STATE OF INDIANA)
VS) # 8200 Judgt. vs Defts. for Costs.
MARION WILSON) J. D. 18, Page 237.
EDWARD HUMPHREY)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and come also the defendants, in their own proper person, and said defendants are each duly arraigned in open court and each plead guilty to the charge of vehicle taking. The defendant, Edward Humphrey is found to be seventeen years of age and the defendant, Marion Wilson's age is found to be eighteen years of age. Under the facts in this cause, the Court finds that it should waive the right to try this cause in the Juvenile Court and that said cause should be tried by the Circuit Judge.

It is, therefore, adjudged by the Court that said defendants, Marion Wilson and Edward Humphrey, shall each be sentenced to the Custody of the Board of Trustees of the Indiana Reformatory, to be confined at said Indiana Reformatory, as guilty of the crime of vehicle taking and that they each be confined therein for a term not less than one year nor more than ten years, subject to the rules and regulations established by said Board of Trustees.

It is further considered, ordered and adjudged by the Court that the defendants, Marion Wilson and Edward Humphrey, each pay the costs of this action, taxed at _____dollars and _____cents.

JULIA M. BROWN,)
Plaintiff,)
-vs-) # 16205 ORDER ON JOINT MOTION TO
J. RAY MONAGHAN, et al.,) DISMISS.
Defendants.)

Comes now the plaintiff, by counsel, and comes now defendant, J. Ray Monaghan, by counsel, and file their joint motion to dismiss complaint and cross-complaint, respectively which joint motion reads as follows: (H.I.)

And the Court having examined said joint motion and finding the court costs herein paid, now sustains said motion and finds that said cause of action and said cross-complaint should be dismissed.

IT IS, THEREFORE, ORDERED that plaintiff's complaint herein and the amended counterclaim of defendant, J. Ray Monaghan, be and the same are hereby dismissed, all with prejudice to plaintiff and said counterclaimant, J. Ray Monaghan.

All of which is finally ordered 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, November 13th, 1941.

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

IOLA GLADYS RUNYON)
VS) ENTRY # 16523
ORA A. RUNYON)

The plaintiff herein, Ioia Gladys Runyon, having filed her affidavit for support and attorney fees which is as follows, to wit, (H.I.). The court being duly advised now sets the same for hearing on the 19 day of November, 1941 and directs the Clerk of the Hendricks Circuit Court to so notify said defendant that said cause will come up for hearing at 1:00 P.M. on November 19th, 1941.

ERNEST STANLEY)
VS) # 16484
ELSWORTH STUART, D/B/A)
HOOSIER GARAGE)
JOHN DEERE PLOW CO.)

Comes now the defendant, John Deere Plow Company, by counsel, and files demurrer to plaintiff's complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

IOLA GLADYS RUNYON)
VS) CAUSE NUMBER 16523
ORA A. RUNYON) INJUNCTION

Ioia Gladys Runyon, plaintiff in the above cause of action having filed her duly verified petition praying therein for an order, injoining the defendant herein from selling, transfering, disposing or mortgaging of the five passenger Buick coupe belonging to said plaintiff and defendant, which verified petition is of the following words and figures, to wit, (H.I.).

The court having read said petition and being duly advised now finds that said defendant should be injoined until further order of selling, transfering, assigning and mortgaging in any manner of said Buick automobile.

It is, therefore, ordered and decreed that said defendant is hereby injoined from selling, mortgaging, assigning or transfering of said Buick automobile as herein described.

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 14th, 1941,

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

ILAMAE WRIGHT)
VS) # 16524
UNITED TAXICAB COMPANY,)
ETC., ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are 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 L. Hanna, Judge.

Saturday Morning, November 15th, 1941.

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

VIRGIL HURIN)
VS) # 16458
LEON BAYLISS)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion, now sustains the same, and this cause is dismissed, costs paid.

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

STATE OF INDIANA)
VS) # 8185
LEWIS TANNER,)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi this cause, which motion is in the words and figures following, to-wit: (H.I.).

Motion read aloud in open Court, and the Court having examined said motion, now approves and sustains the same, 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)
: SS
COUNTY OF HENDRICKS) IN THE HENDRICKS CIRCUIT COURT

SEPTEMBER TERM, 1941.

RAYMOND RUSE,)
ARTHUR McGLOTHLIN,)
ARTHUR McGLOTHLIN, Guardian)
for KENNETH McGLOTHLIN,)
)
vs) No. 16,075
)
GEORGE E. RUSE,)
ELVA RUSE,)
HENRY BRUNES.)

PRAECIPE FOR TRANSCRIPT

To
Clerk Hendricks Circuit Court:

You are hereby requested to prepare and certify a transcript of the record for an appeal to the Supreme Court of Indiana, in cause number 16,075, in the Hendricks Circuit Court of said County of Hendricks, State of Indiana, entitled Raymond Ruse, et al -vs- George E. Ruse, et al., in which final judgment was rendered on April 9, 1941, and to include therein the following:

A transcript of the entire record, including the original Bill of Exceptions.

Constant V. Abeele
JOHNSON, ZECHIEL & JOHNSON
BY Emsley W. Johnson
ATTORNEYS FOR DEFENDANT

October 1941.

STATE OF INDIANA)

VS) 8199 Judgt. vs Deft. for $25.00 Fine & Costs.

LEWIS TANNER) J. D. 18, Page 237.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Lewis Tanner, in his own proper person and by his attorney, John A. Kendall, and said defendant waives arraignment and enters his plea of guilty.

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

SUSIE L. ISLEY) Judgt. vs Deft. for $4.00 Per Wk.,

VS) Cause No. 16461----- Divorce Decree. $100.00 Atty. Fee and Costs.

LOREN ISLEY) J. D. 18, Page 238.

Comes now the plaintiff, in person, and by counsel, and comes also the defendant, in person, and by counsel, and this cause being at issue on the complaint and answer of defendant, is now submitted to the court for trial, finding, judgment and decree, more than sixty days having expired since the defendant was served with summons by the Sheriff of Hendricks County, Indiana, which summons and said Sheriff's return thereon are in the following words and figures, to wit: (H.I.)

And the court, having heard the evidence, and being fully advised and informed in the premises, finds that the plaintiff, Susie L. Isley, is entitled to a divorce from the defendant, Loren Isley, upon the grounds and for the reasons set forth in her complaint herein.

The court further finds that the plaintiff is entitled to the custody of the minor child, Gaylan K. Isley, until the further order of the court, and that the defendant should pay a reasonable sum each week for the support of said minor child until the further order of the court, and that the defendant should have the privilege of seeing said child at stated times hereinafter mentioned and set forth in the judgment and decree of the court.

The court further finds that the plaintiff is entitled to recover off of and from the defendant her costs herein.

The court further finds that the defendant should pay a reasonable fee for plaintiff's attorneys for their services for representing her in this action.

It is therefore ordered, adjudged and decreed by the court that the bonds of matrimony, heretofore existing between the plaintiff and defendant, are set aside and dissolved, and the plaintiff is hereby granted an absolute divorce from the defendant.

It is further adjudged by the court that the custody of the minor child, Gaylan K. Isley, be and the same is hereby given to the plaintiff until the further order of the court, and the defendant is now hereby ordered to pay the sum of $4.00 per week for the support of said minor child until the further order of the court; it is ordered by the court that the sum of $4.00 is to be paid on or before Wednesday, November 19th, 1941, by the defendant, and a like sum each and every week thereafter until the further order of the court; it is ordered by the court that such payments shall be made to the Clerk of the Hendricks Circuit Court, at Danville, Indiana, and that said Clerk shall pay the same to the plaintiff for the support of said minor child.

It is further adjudged and decreed by the court that the defendant shall have the right and privilege of seeing said minor child between the fours of twelve (12)

o'clock (noon) and five (5) o'clock P.M. of every other Saturday, until the further order of court.

It is further ordered and adjudged that the defendant pay the sum of $100.00 to plaintiff's attorneys for their services in representing the said plaintiff in this action, and that said amount be paid by said defendant on or before the 15th day of December, 1941.

It is further ordered by the court that the defendant 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 C. Hanna, Judge.

Monday Morning, November 17th, 1941.

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

ROBERT COX)
VS) # 16379
FRED C. HUNT)

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

STATE OF INDIANA)
VS) # 8201 Judgt. vs Deft. for $10.00 Fine & Costs.
RUEL MONTGOMERY) J. D. 18, Page 238.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Ruel Montgomery, 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, Ruel Montgomery, for the offense by him committed shall be and he is fined ten dollars, and that he shall pay the costs of this action, taxed at _____dollars and _____ cents.

STATE OF INDIANA)
VS) # 8202 Judgt. vs Deft. for $25.00 Fine & Costs.
CHARLES SIDDELL) J. D. 18, Page 238.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Charles Siddell, 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 for the offense by him committed shall be and he is sentenced to the Indiana Reformatory for not less than one year nor more than three years, and fined in the sum of twenty-five dollars, and shall pay the costs of this action, taxed at _____dollars and_____cents.

The Court now suspends the sentence to the Indiana Reformatory on the condition that said defendant will sell and dispose of his automobile and will not drive any motor vehicle of any kind and will behave well, should said defendant violate the above condition, he is to be brought into Court and duly committed to said Indiana Reformatory.

The Court recommends that no operator's license be issued to said defendant for at lease one year from this date.

The defendant, Charles Siddell, upon the payment of fine and costs herein, is allowed to go on his own recognizance until further order of the 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, November 18th, 1941.

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

STATE OF INDIANA, EX REL,)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Come now the defendants, by counsel, and files motion to require plaintiff to make second amended complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM ASSN., INC.)

Come now the defendants, Leo Pickett and Hendricks County Farm Bureau, Co-Operative Association, Inc., file motion to strike out parts of the plaintiff's complaint, which motion is in the words and figures following, to-wit: (H.I.).

MARY GIBBS)
VS) # 16151 RULE TO SHOW CAUSE
CLARENCE GIBBS)

Comes now Mary Gibbs, plaintiff, and files her verified information which is in words and figures as follows: (H.I.) from which it appears that on the 18th day of Janusry, 1941, in the town of Danville, County of Hendricks, State of Indiana, this cause while in session, did by judgment duly rendered in cause No. 16151 entitled Mary Gibbs vs. Clarence Gibbs, order and direct the defendant, Clarence Gibbs, to pay to the Clerk of the Hendricks Circuit Court the amount of $7.50 per week for the support and maintenance of the defendant's seven minor children; that the custody of said children was then and there awarded to the plaintiff, Mary Gibbs.

That the defendant has failed, neglected, and refused to comply with said order of this court and is now delinquent and in arrears in said payments in the amount of $150.00. And plaintiff prays the court that the defendant be notified to appear before the court at such time as the court shall fix to show cause why he should not be punished as for contempt of court for not obeying and carrying out said order.

It is therefore ordered by the court that the said defendant, Clarence Gibbs, be and appear in the Hendricks Circuit Court at the Courthouse in the town of Danville, Hendricks County, Indiana, on the 29th day of November A.D., 1941, at 9 o'clock A. M. of said date to show cause, if any he may have, why he should not be attached and published as for contempt of court. It is further ordered that the above and foregoing notice and rule to show cause be issued by the Clerk of this Court to the Sheriff of Marion County, Indiana, and served on the defendant, Clarence Gibbs, by the Sheriff of of Marion County, Indiana.

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 19th, 1941.

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

(ALBERT E. UHL, EX. OF THE ESTATE OF)
LETHA R. HUBINGER, DECEASED.)
VS) # 16324
THE HOME INSURANCE CO. OF NEW YORK)

Come now the parties, and argument is heard, and the Court being duly advised, now overrules the demurrer to plea in abatement, to which ruling of the Court the plaintiff now reserves exceptions, and same is set for trial on said plea Monday, November 24th, 1941.

Marshal D. Abrams, Special Judge.

IOLA GLADYS RUNYON)
VS) # 16523
ORA RUNYON)

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

Said defendant files petition to disolve restraining order and to modify former order herein, which petition is in the words and figures following, to-wit: (H.I.).

Come now the parties, and hearing is head on petition for restraining order, and the Court takes ruling under advisement.

MANCHESTER BANK OF ST. LOUIS)
VS) # 16504 Judgt. vs Deft. for $1138.30 and Costs.
GEORGE R. FREDRICK) J. D. 18, Page 238.

Comes now the plaintiff and shows to the Court the summons and return thereon issued to the Sheriff of Hendricks County, Indiana, and served on the defendant herein, which summons and return thereon are in the following words and figures, to-wit: (H.I.). The Court examining same, finds that said defendant has been duly served with process more than ten days before the third day of November, 1941, which day was the return fixed on plaintiff's complaint by endorsement thereon, which endorsement was duly signed by plaintiff's attorney. Now on motion of the plaintiff, said defendant is three times loudly called in open Court and comes not and herein wholly makes default.

This cause now being at issue, 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 plaintiff's complaint are true, and that there is due and unpaid the plaintiff from the defendant on the note sued on herein, $1034.82 in principal and 10% attorneys' fees or $103.48, or a total of $1138.30, and the plaintiff is entitled to its costs and expenses laid out and expended herein.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, George R. Fredrick, on note sued on herein, the total sum of $1138.30, together with 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.

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(N O C O U R T)

Friday, November 21st, 1941, and the 17th day of the November Term, 1941.

Friday Morning, November 21st, 1941.

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

RAYMOND RUSE,)
ARTHUR McGLOTHLIN,)
ARTHUR McGLOTHLIN, GUARDIAN)
FOR KENNETH McGLOTHLIN)
VS) # 16075
GEORGE E. RUSE)
ELVA RUSE)
HENRY BRUNES)

Comes now Constance C. Abeele, and files appeal bond, as heretofore approved by this Court, and which appeal bond is in the following words and figures, to-wit: (H.I.), and which bond is now examined and approved.

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

Saturday, November 22nd, 1941, and the 18th day of the November Term, 1941.

Saturday Morning, November 22nd, 1941.

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, November 24th, 1941.

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

STATE OF INDIANA)
VS) # 8170
ERNEST L. ELLETT)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Ernest L. Ellett, in his own proper person, and said defendant is duly arraigned in open court and pleads not guilty.

The Court fixes the bond of the defendant at $500.00.

SAMUEL JOHNSON)
VS) # 16435
ALMA JOHNSON)

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

CHARLES H. WALTER, ADMINISTRATOR)
OF THE ESTATE OF FRANCES WALTER,)
DECEASED.)
VS) # 16331
NORA WALTER)

Comes now the plaintiff, and files motion to dismiss this cause, with prejudice, costs paid, 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 dismissed, with prejudice, costs paid.

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

ERNEST GEPHART, ADMINISTRATOR OF)
THE ESTATE OF ERNEST GEPHART, JR.,)
DECEASED.)
VS) # 16330
NORA WALTER)

Comes now the plaintiff, and files motion to dismiss this cause, with prejudice, the costs having been pad, 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, with prejudice, costs paid.

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

IVIS CHASTAIN,)
Plaintiff)
VS) # 16192 Judgt. vs Pltf. for Costs.
HAROLD HUTSON) ENTRY J. D. 18, Page 239.
Defendant.)

Comes now the plaintiff by his attorneys, William G. White, Clarence W. Baldwin, and Arch Kahl, and comes the defendant by his attorneys, John T. Hume and Barnes, Hickam, Pantzer & Boyd, and the case now being at issue the same is submitted to the Court without the intervention of a jury for a finding, judgment, and decree, and the Court having heard all of the evidence now finds for the defendant and against the plaintiff on his complaint.

IT IS NOW ORDERED, ADJUDGED, AND DECREED, that the plaintiff take nothing by his complaint; that judgment be entered for the defendant and against the plaintiff on both paragraphs of complaint; that costs be taxed against the plaintiff in the sum of Eight and 55/100 dollars, and the plaintiff now in open court waives all rights to file a motion for a new trial and waives all right to appeal from this judgment.

Horace L. Hanna
Judge of the Circuit Court of Hendricks County

Dated this 24th day of November, 1941.

STELLA PATTERSON)
VS) # 16479 DECREE OF DIVORCE
VIRGIL PATTERSON)

Comes now the plaintiff in person and by her attorney, John A. Kendall, and it appearing to the satisfaction of the court that the defendant has been duly notified of the pendency in filing of said action, by the waver of the issue and service of summons which has been duly filed in said proceeding, which waver and issue of service of summons is of the following words and figures, to wit, (H.I.). Said defendant failing to appear he is three times loudly called in open court but comes not and herein make default.

Where upon said cause is submitted to the court for hearing, trial and decree. The court having heard the evidence and being duly advised therein now finds for the plaintiff and that she is entitled to a decree of divorce on the grounds stated in her complaint.

It is, therefore, ordered, adjudged and decreed by this court that the plaintiff is hereby awarded and given an absolute divorce from said defendant on the grounds alleged in her complaint. All at the cost of the plaintiff, which costs are paid.

ALBERT E. UHL, EXECUTOR OF THE)
ESTATE OF LETHA R. HUBINGER, DECEASED.)
VS) # 16324
THE HOME INSURANCE CO. OF NEW YORK.)

Comes now the plaintiff, and files answer to plea in abatement, which answer is in the words and figures following, to-wit: (H.I.).

Come now the parties, and this cause is sumitted for trial on plea in abatement.

Evidence is heard, and argument of counsel is heard, and this cause is taken under advisement.

Marshal D. Abrams
Marshal D. Abrams, Special Judge.

Monday Morning, November 24th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 8203 Judgt. vs Deft. for $15.00 Fine & Costs.
JOHN RALSTON) J. D. 18, Page 239.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of leaving scene of accidant.

The Court withholds judgment, and the defendant is placed in the hands of the sheriff.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and the Court renders judgment.

It is, therefore, adjudged by the Court that said defendant, John Ralston, for the offense committed by him be fined fifteen dollars and pay the costs of this action.

It is further adjudged by the Court that said defendant be sentenced to the Indiana Penal Farm for the period of four months.

The Court now suspends the sentence to the Indiana Penal Farm on the condition that said defendant pay to Robert L. Groover the sum of $122.54, said sum to be made in weekly payments of $10.00 each, said payment to begin November 29th, 1941, all of said payments to be made within ninety days from this date. Said defendant is now allowed to go on his own recognizance so long as he complies with the condition of this judgment. Should said defendant fail to comply with this order, this suspension of sentence shall be revoked and said defendant shall be committed to the Indiana Penal Farm.

STATE OF INDIANA)
VS) # 8204 Judgt. vs Deft. for $15.00 Fine & Costs.
FLOYD HALL) J. D. 18, Page 239.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Floyd Hall, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty to count one of the affidavit of public intoxication.

It is, therefore, adjudged by the Court that said defendant, Floyd Hall, for the offense by him committed, (public intoxication), be fined fifteen dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

Said defendant, Floyd Hall, pleads guilty to count two of said affidavit.

It is, therefore, adjudged by the Court that said defendant, Floyd Hall, for the offense by him commited, (melicious trespass), shall be sentenced to the Indiana Penal Farm for thirty days.

The Court now suspends said sentence to the Indiana Penal Farm, and allows the defendant to go on his own recognizance for ten days all on the condition that said defendant pay all damages occasioned by him in breaking out frames and glass on the property of Ethel Selsch.

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 25th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

THEODORE S. MUNSON)
VS) # 16423
MERLE S. MUNSON)

Comes now Marylou C. Patterson, attorney for the defendant, and files verified application for suit money, which application is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said application, now orders notice returnable November 29th, 1941, to be served on plaintiff for hearing on said date.

JAMES E. HILLMAN)
VS) # 15535
INDIANAPOLIS RAILWAYS INC.)

Come now the parties, 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: Ray Stevenson, Anson Kellems, Henry L. Gentry, Everett Robinson, Albert Gable, Ralph Pepper, Donald Lawson, Isaac Schenck, Ora Groover, Walter H. Bulion, Gayland Good and Ed Misch, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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 until 9:00 o'clock A. M., November 6th, 1941, under proper instructions as to their duties during such separation.

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 26th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

SPEEDWAY STATE BANK)
VS) # 16477
PATRICK J. WALSH, ET AL.)

Comes now the plaintiff, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid,

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

McCORMICK LUMBER CO., INC.)
VS) # 16456
PATRICK J. WALSH)
DELIA WALSH)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

JAMES E. HILLMAN)
VS) # 15535
INDIANAPOLIS RAILWAYS INC., ETC.)

Come now the parties, in person and by counsel, and the defendant at the close of the plaintiff's evidence and before the introduction of any evidence on behalf of the defendant, files motion for directed verdict in the following words and figures, to-wit: (H.I.). Oral argument on said motion is had, and the Court now overrules said motion, to which ruling of the Court the defendant objects and excepts.

The defendant now moves the Court to publish depositions of Dr. Wayne Carson and Dr. Thompson R. Rice. The Court being sufficiently advised, now sustains said motion, and depositions are ordered published.

Come now the parties, and the jury is again brought into Court and evidence is continued and completed.

At the close of all the evidence and before argument to the jury, the defendant files motion for directed verdict to the jury, which motion is in the following words and figures, to-wit: (H.I.). The Court being duly advised, now overrules said motion for directed verdict, to which ruling of the Court, the defendant objects and excepts.

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 27th, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

EDWARD L. HOLLIS)
VS) # 16405
UNITED TAXI, INC., ET AL.)

Comes now the defendant, Roscoe M. Hardwick, by counsel, and files cross-complaint, which cross-complaint is in the words and figures following, to-wit: (H.I.).

ANSON S. THOMAS)
VS) # 16495
LAWRENCE APPLEGATE)
OSCAR MANN)

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

MABLE BAILEY)
VS) # 16475
HAROLD E. BAILEY)

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

The Court being duly advised, now sustains said motion and this cause is dismissed, costs paid.

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

HELEN G. VEDETTE,)
PLAINTIFF)
-VS-) # 16465 Judgt. vs Deft. for $50.00 Atty. Fee, $10.00 Per
ALVA LUTHER VEDETTE) ENTRY Wk. and Costs.
DEFENDANT) J. D. 18, Page 240.

The above entitled cause being at issue, said cause was on the 18th day of October, 1941, submitted to the court without the intervention of the jury; and the court having heard the evidence and each party to the action having concluded his and her evidence the court took said cause under advisement, and later to-wit, on the 15th day of November, 1941, came the parties by counsel and the court being duly advised in the premises and having now concluded his decision, finds for the defendant, ALVA LUTHER VEDETTE, on his cross-complaint and against the plaintiff, HELEN G. VEDETTE, on his complaint and that the allegations of defendant's cross-complaint are true and that he is entitled to a decree of divorce from the plaintiff on the grounds therein alleged.

The court further finds the plaintiff is a suitable and proper person at this time to have the care, custody and control of the children, WYONA JUNE VEDETTE and LYNN NELSON VEDETTE until further order of this court.

The court further finds that the plaintiff until further order of this

court is entitled to an allowance for the maintenance and support of said children and that said allowance for the best interest of all parties concerned should be paid to the Clerk of the Marion Circuit Court of Marion County, Indiana, to be paid by said Clerk to the plaintiff.

The court further finds that the defendant, ALVA LUTHER VEDETTE, is entitled to have each of the above named children in his care and control every other Saturday from TEN (10:00) o'clock A. M., until the following Monday EIGHT (8:00) o'clock A.M. Beginning with the 29th day of November, 1941, and said defendant may see and talk with each child above named at reasonable times and hours while said children are in the care, custody and control of the plaintiff.

The court further finds that plaintiff's attorney is entitled to recover of and from the defendant the sum of FIFTY ($50.00) DOLLARS for services rendered plaintiff in said cause payable within NINETY (90) DAYS.

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 forever dissolved and that the defendant, ALVA LUTHER VEDETTE is hereby granted a divorce from the plaintiff, HELEN G. VEDETTE.

IT IS FURTHER CONSIDERED AND ORDERED, by the court that the defendant, ALVA LUTHER VEDETTE, shall have each of the above named children in his care and control every other Saturday from TEN (10:00) o'clock A. M. until the following Monday EIGHT (8:00) o'clock A. M. beginning with the 29th day of November, 1941, and he may see and talk with each child above named at reasonable times and hours while said children are in the care, custody and control of the plaintiff, all however, until further order of this court.

IT IS FURTHER CONSIDERED AND ORDERED, by the court that the ~~de~~ defendant pay within NINETY (90) DAYS from the 15th day of November, 1941, to CHAS. T. KAELIN, plaintiff's attorney the sum of FIFTY ($50.00) DOLLARS for services rendered the plaintiff in said cause.

IT IS FURTHER CONSIDERED AND ORDERED BY the court that plaintiff have the care, custody, and control of the following named childred; WYONA JUNE VEDETTE and LYNN NELSON VEDETTE, until the further order of this court; it is further ordered that the defendant pay into the Clerk of the Marion Circuit Court, of Marion County, Indiana, on each Monday for the support and maintenance of both children, the sum of TEN ($10.00) DOLLARS until further order of this court, which said sum of money shall be paid by said Clerk to the plaintiff for the use and benefit of said children, until further order of this court.

IT IS FURTHER CONSIDERED AND ORDERED, That the defendant pay the costs of this action, and thirty days given to pay said costs.

ANSON S. THOMAS)
VS) # 16495 (This entry is as of November 28th, 1941.)
LAWRENCE APPLEGATE, ET AL.)

The defendants are ruled to answer amended complaint on or before December 10th, 1941.

JAMES E. HILLMAN)
VS) # 15535
INDIANAPOLIS RAILWAYS INC., ETC.)

Comes now the plaintiff at the close of all the evidence

and tenders to the Court instructions numbered 1 to 3, both inclusive, with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury. Comes now the defendant at the close of all the evidence and tenders to the Court instructions numbered 1 to 10, both inclusive, with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury. And now the Court indicates by written memorandum all instructions that will be given and all instructions that will be refused by the Court. The Court indicates that it will give instructions numbered 1 and 2 tendered by the plaintiff and will refuse to give instruction numbered 3 tendered by the plaintiff. The Court indicates that it will refuse to give instructions numbered 5, 7, 8 and 9 tendered by the defendant. The Court now tenders to the plaintiff and to the defendant the instructions to be given by the Court of it's own motion, said instructions being numbered 1 to 10, both inclusive, and also numbered 12 to 18, both inclusive.

Comes now the plaintiff, at the close of the evidence and before the beginning of argument, and after all instructions had been submitted and the Court had indicated which instructions it would give and which instructions it would refuse to give and the plaintiff now states that he will not object or except to the Court's giving or the Court's refusal to give any of said instructions.

Comes now the defendant at the close of the evidence and before argument, and after all instructions had been submitted and the Court indicated which instructions it would give and which instructions it would refuse to give; and now said defendants, having had reasonable opportunity to examine said instructions does now orally state his specific objections, out of the presence of the jury, to each of the following instructions. Defendant now objects and excepts to instructions numbered 1 and 2 tendered and requested by the plaintiff herein. Defendant also now objects and excepts to instructions numbered 5, 6, 8, 9, 10, 12, 13 and 14, tendered by the Court of its own motion. Defendant also now objects and excepts to the Court's refusal to give instructions numbered 5, 7, 8 and 9, tendered by the defendant. All of said specific objections and exceptions of said defendant are made orally, taken down by the reporter and may be made a part of the record by general or special bill of exceptions.

And now the jury is again brought into Court and this cause is presented to the jury in oral argument. During the closing argument of Mr. Seth Ward, certain specific objections and exceptions were taken to statements made by said Seth Ward, all of which was taken down by the reporter, and may be shown by special bill of exceptions.

And now the Court instructions the jury by giving to the jury of it's own motion instructions numbered 1 to 10, both inclusive and instructions numbered 12 to 18, both inclusive. And the Court gives to the jury instructions numbered 1 and 2, tendered by the plaintiff and the Court refuses to give instructions numbered 3 tendered by the plaintiff and now the Court gives to the jury instructions numbered 1, 2, 3, 4, 6 and 10 tendered by the defendant and the Court refuses to give instructions numbered 5, 7, 8 and 9 tendered by the defendant.

And now all instructions, including those tendered, given and refused, together with the Court's memorandum thereon, and the written objections and exceptions of the defendant are ordered filed, and filed, and ordered made, and made a part of the record in this cause, without a bill of exceptions, which instructions are in the words and figures following, to-wit: (H.I.).

The jury now retires to deliberate upon its verdict.

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 28th, 1941.

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

JAMES E. HILLMAN)
VS) # 15535
INDIANAPOLIS RAILWAYS INC., ETC.)

The jury is again brought into court and reports to the Court that they are unable to agree on a verdict in this cause, the jury having deliberated for more than twenty-four hours and being convinced that they cannot reach a verdict, the Court now is of the opinion that said jury should be discharged, and said jury is now discharged from further duties in this cause.

ALBERT P. HALL)
VS) # 16533
LULA J. DUNN-HALL)

Comes now the defendant and files cross-complaint, which cross-complaint is in the words and figures following, to-wit: (H.I.).

The plaintiff is now ruled to answer cross-complaint on or before December 8th, 1941.

THE TOWN OF DANVILLE, INDIANA)
VS) # 16468
KENNETH CATES)

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

The Court being duly advised, now sustains said motion and this cause is dismissed, costs paid.

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

MARTHA REEVES)
VS) # 16532 ENTRY
GLENDON REEVES)

Comes now the plaintiff and files her complaint for divorce together with her application for suit and support money which complaint and application are of the following words and figures, to wit, (H.I.).

The court having been duly advised now sets the same for hearing on the 9 day of December, 1941 and the Clerk of this court is hereby directed to issue a notice, notifying said defendant of the time and place of this hearing.

MARTHA REEVES)
VS.) 16532 ENTRY
GLENDON REEVES)

Martha Reeves, the plaintiff herein, having filed her verified petition praying for a restraining order to be issued against said defendant, which verified 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 the propriety of granting said petition and that a temporary restraining order should be issued, restraining him from disposing of any personal property whatsoever.

It is, therefore, considered and adjudged by the court that said defendant is hereby restrained until further order from selling, assigning or transfering any of his personal property what soever.

Said Clerk of the Hendricks Circuit Court is hereby directed to issue a notice to the said defendant, notifying him that a hearing thereon will be had in the Hendricks Circuit Court, on the 9 day of December, 1941.

HELEN PERKINS)
VS) # 16310
ELMER PATTON)

Come now the parties, 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 the plaintiff moves the Court for continuance of cause for further evidence. The Court being sufficiently advised, now overrules said motion, to which ruling of the Court the plaintiff objects and excepts.

The Court now takes said cause under advisement pending the filing of briefs and argument of counsel.

HELEN PERKINS)
VS) # 16425
ELMER PATTON, ET AL.)

Comes now the plaintiff, and this cause having been set for trial at this time and having been duly reached in the regular order, and the defendant, Charles H. Coyle, failing to appear, plaintiff moves the Court to default said defendant. And now on motion of the plaintiff, said defendant, Charles H. Coyle, is three times loudly called in open Court and comes not and herein wholly makes default.

Come now the parties, and said cause is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence is heard, and the Court continues cause for filing of briefs and argument of counsel.

DELORES SWENKE)
VS) CAUSE NUMBER--16367
CARL SWENKE) DIVORCE DECREE

Comes now the defendant, Carl Swenke, in person and by his attorneys, Ira M. Holmes and John A. Kendall, 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 when Delores Swenke filed her complaint in said cause against Carl Swenke, that the said

Carl Swenke was duly served with process for more than ten (10) days before the day fixed by the plaintiff, by endorsement on her complaint, for the defendant to appear and answer said complaint. That thereafter Carl Swenke, the defendant in the original cause of action, filed a cross complaint against Delores Swenke, it being filed on April 4, 1941 which cross complaint is of the following words and figures, to wit. (H.I.).

This being the date set for trial of said cause, the plaintiff failing to appear, her said complaint for divorce is now dismissed for want of prosecution, whereupon the cross complaint filed by the defendant, Carl Swenke, is submitted to the court for hearing, trial and decree, and said cross defendant, Delores Swenke, failing to appear, she is three times loudly called in open court, but comes not and herein makes default, whereupon George W. Hadley, prosecuting attorney, comes into court and enters his appearence for said cross defendant.

The court having heard the evidence and being fully advised in the premises finds for Carl Swenke, the cross plaintiff herein, and that he is entitled to his decree of divorce from said cross defendant and that he is entitled to the care, custody and control of Gene Audra Swenke and that the allegations of his cross complaint are true and correct.

It is, therefore, considered and adjudged by the court that the bonds of matrimony existing between said cross plaintiff and cross defendant be dissolved and that said cross plaintiff, Carl Swenke, be granted an absolute divorce from Delores Swenke. That said cross plaintiff have the care, custody and control of Gene Audra Swenke and that said cross defendant may visit said child at any reasonable time. All at the costs of the cross plaintiff which costs are paid.

STATE OF INDIANA)
VS) # 8170 Judgt. vs Deft. for Costs.
ERNEST L. ELLETT) J. D. 18, Page 240.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant asks leave to withdraw his plea of not guilty and pleads guilty.

It is, therefore, adjudged by the Court that said defendant, Ernest L. Ellett, for the offense by him committed shall be and he is sentenced to the Indiana Reformatory for a term of not less than one year and not more than three years, and that he pay the costs of this action, taxed at _____dollars and _____cents.

The Court now suspends the santence to the Indiana Reformatory on the condition that said defendant return to his wife and children and support them and behave well, The Court appoints Martha J. Breidenbaugh, Director of Public Welfare as parol agent and said director is to investigate the home and report to the Court whether or not the defendant herein is complying with his promise to support and treat his wife and children in the right manner and the Court allows said defendant to go on his own recognizance until further order of this Court, and so long as he behaves well and complies with the above condition of parol.

STATE OF INDIANA)
VS) #8137 Judgt. vs Deft., Robert Lewis Lairmore, for Costs.
ROBERT LEWIS LAIRMORE) J. D. 18, Page 240.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files amended affidavit, which amended affidavit is in the words and figures following, to-wit: (H.I.).

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Robert Lewis Lairmore, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty. The defendant's age is found to be nineteen years.

It is, therefore, adjudged by the Court that said defendant, Robert Lewis Lairmore, for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for sixty days and shall pay the costs of this action, taxed at _____dollars and _____cents.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi this cause as to the defendant, Clone Runion, which motion is in the words and figures following, to-wit: (H.I.). The motion is read aloud in open court, and the Court being duly advised, now sustains said motion, and this cause is dismissed as to the defendant, Clone Runion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed as to the defendant, Clone Runion.

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 29th, 1941.

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

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON, A)
MUNICIPALITY)

Comes now Judge Earl R. Cox, and due to the press of business in his court, declines the appointment of special judge in this cause, which is in the words and figures following, to-wit: (H.I.).

WILLIAM A. ENGLES, JR., BY)
HIS NEXT FRIEND WILLIAM A.)
ENGLES, SR.)
VS) # 16342
WILEY DORSETT)

Comes now the defendant and files answer complying with Supreme Court Rules, which answer is in the words and figures following, to-wit: (H.I.).

SOUTHERN JUNIOR COLLEGE, A CORP.)
VS) # 16472
HOWARD C. GAMMON)
501 BLUE RIDGE)

Come now the parties, and oral argument is had on demurrer, and the Court takes ruling under advisement, ten days given to file briefs.

THEODORE S. MUNSON)
VS) # 16423 ENTRY ORDERING PLAINTIFF TO PAY
MERLE S. MUNSON) DEFENDANTS ATTORNEYS

Comes now Marylou C. Patterson, one of the attorneys for the defendant in the above cause, and shows to this court that said plaintiff has been duly notified of the filing of the petition for suit money, filed by defendants attorneys, by having been duly notified by registered mail, the return receipt, signed by said plaintiff is of the following words and figures, to wit: (H.I.) Said plaintiff Theodore S. Munson failing to appear, he is three times loudly called in open court, but come not and makes default, whereupon said matter is submitted to the court for finding.

The court having heard the evidence and being duly advised, now finds for the petitioner and that there is owing her by said plaintiff Theodore S. Munson the sum of $100.00 as attorney fee, and that he should pay the cost of said action, in the sum of $9.80, and that the same should be paid to the said Marylou C. Patterson with in fifteen days from date hereof.

IT IS THEREFORE ORDERED AND DECREED BY THIS COURT, that Theodore S. Munson, pay to Marylou C. Patterson, attorney for the said defendant above named, the sum of $100.00, and that he should pay the court cost herein in the sum of $9.80, all to be paid with in fifteen days from date hereof. Dated this 29th of November 1941.

MARY GIBBS)
VS) # 16151
CLARENCE GIBBS)

Come now the parties, and hearing is had on the indirect contempt proceedings. The Court finds that the defendant, Clarence Gibbs, is guilty of indirect contempt by failing to meet the order of this Court as to payments to the Clerk of this court. That said defendant is behind in his payments in all forty-five weeks @ $7.50 a week or $225.00. The defendant promises in open court to pay $10.00 this day to the Clerk of this Court and to meet the $7.50 weekly payments as they become due, and whatever he can pay in addition to said weekly payments to be applied on the delinquent payments. The Court does not modify original order herein.

The Court now allows the defendant to go on his own recognizance so long as he will meet the payments as promised so to do in open court.

CHARLES W. BANGE, ET AL.)
VS) # 16434
ALBERT STRONG MILES, ET AL.)

Come now the defendants, and file answer in two paragraphs, which answer is in the words and figures following, to-wit: (H.I.), second paragraph by way of interpleader, and asks that C. F. Kelley be made party defendant to respond to the complaint and plead his claim, if any. The Court having seen and examined said, now orders said C. F. Kelley made party defendant to respond and interplead any claim he may have.

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 1st, 1941.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA, EX REL,)
HOWARD M. STANTON, ETC.)
VS) # 16088
FRANK E. McKINNEY, ETC., ET AL.)

Comes now the relator and files verified petition for restraining order, which verified petition is in the words and figures following, to-wit: (H.I.).

The Court fixes time for hearing said petition, December 6th, 1941, at 1:00 o'clock P. M., and notice is to be served on defendants by relator's counsel.

STATE OF INDIANA, EX REL,)
HOWARD M. STANTON, AS TRUSTEE)
VS) # 16090
FLORENCE E. GROSSART, ETC., ET AL.)

Comes now the relator, and files verified petition for restraining order, which verified petition is in the words and figures following, to-wit: (H.I.).

The Court fixes time for hearing said petition, December 6th, 1941, at 1:00 o'clock P. M., and notice is to be served on the defendants by relator's counsel.

STATE OF INDIANA, EX REL,)
CYRIL J. VAN METER TRUSTEE)
VS) # 16091
FRANK E. McKINNEY, ETC., ET AL.)

Comes now the relator, and files verified petition for restraining order, which petition is in the words and figures following, to-wit: (H.I.).

The Court fixes time for hearing said petition December 6th, 1941, at 1:00 o'clock P. M., and notice is to be served on defendants by relator's counsel.

WALTER W. WATSON)
VS) # 16471
HENRY M. SMITH, ET AL.)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised, now sustains said motion and this cause is dismissed, costs paid.

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

FRANCES DOAN STREIGHTOFF)
VS) # 16525 JUDGMENT FOR POSSESSION Judgt. vs Deft. for $12.50 and Costs
LLOYD LAY) J. D. 18, Page 241.

Comes now the plaintiff, and by her attorneys, Cox, Bain and Cox and John A. Kendall, and it appearing to the satisfaction of the court by the summons and Sheriff's return thereon, which are as follows; that the defendant has been duly served with process for more than ten (10) days before the day fixed by the plaintiff, by endorsement on her complaint, for the defendant herein to appear and answer said complaint. Said defendant failing to appear, he is three times loudly called in open court but comes not and herein makes default, whereupon said cause is submitted to the court for finding and decree.

The court having heard the evidence and being fully advised in the premises, finds for the plaintiff and that she is the owner in fee simple and entitled to the complete possession of the real estate described in her complaint: That the defendant unlawfully holds possession thereof, and that the plaintiff has been damaged in the sum of $20.50.

It is, therefore, considered and adjudged by this court that the plaintiff is the owner in fee simple of the real estate described in plaintiff's complaint, to wit, and that she recover of said defendant the possession thereof. It is further considered and adjudged that the plaintiff recover of the defendant the sum of $20.50 damages, together with her costs and charges laid out and expanded.

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 2nd, 1941. Court met pursuant to adjournment, Present Honorable Horace L. Hanna, Judge.

HERMAN JONES)
VS) # 16293
INDIANAPOLIS BREWING)
CO., INC.)

Comes now the defendant, and files affidavit for change of venue from Hendricks County, Indiana, whichaffidavit and motion for change is in the following words and figures, to-wit: (H.I.).

FLETCHER TRUST CO.)
VS) # 16407
MABEL M. NEWMAN)

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

ROBERT W. FRANKFORTH)
VS) # 16526
GEORGE FREDRICKS)

The defendant is ruled to answer on or before December 15th, 1941,

CARRIE GLASS)
VS) # 16505
WILLIAM T. GLASS)

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

EUGENE WAGNER, BY IRENE)
SHEFFER, HIS NEXT FRIEND)
VS) # 16500
VIRGINIA WAGNER)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

GLEN THARP, d/b/a DANVILLE)
FARMERS SUPPLY COMPANY)
VS) # 15584
ERVIN YOUNG) JUDGMENT DECREE

Comes now the plaintiff in person and by his attorney, John A. Kendall, 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 process for more than ten days before the date fixed by the plaintiff, by endorsement on his complaint, for the defendant to appear and answer said complaint. Said cause having been set for trial and said trial date having elapsed and said defendant failing to appear in person or by an attorney, he is three times loudly called

in open court but comes not and herein makes default, whereupon said cause is submitted to the court for hearing, trial and decree.

The court having heard the evidence and being fully advised in the premises, finds for the plaintiff and that the alligations of his complaint are true and correct and that said defendant owe said plaintiff, a result of executing said promissory note which was made a part of plaintiff's complaint and marked exhibit "A" which note was dated November 23, 1937, the total sum of $74.44, including principal and interest and the further sum of $7.50 as plaintiff's attorney fee, making total amount owing to said plaintiff by said defendant herein the sum of $81.94, all without valuation or appraisement laws.

The court further finds that since filing this suit on August 15, 1938 the original note has become lost and that plaintiff has been unable to find it although he has made diligent search for the same and that plaintiff's exhibit "A" is a true and correct copy of said note.

It is, therefore, considered, adjudged and decreed by this court that the plaintiff herein recover of and have judgment against said defendant from the sum of $81.94 and costs of this action.

STATE OF INDIANA)
VS) # 8198 Judgt. vs Deft. for Costs.
ROY RIDDLE) J. D. 18, Page 241.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Roy Riddle, in his own proper person and also by his attorney, Charles V. Sears, and said defendant now asks to withdraw his plea of not guilty and to enter his plea of guilty in this cause. The Court being duly advised, now grants said request, and the defendant pleads guilty of resisting arrest.

It is, therefore, adjudged by the Court that said defendant, Roy Riddle, for the offense by him committed (resisting arrest), shall be sentenced to the Indiana Penal Farm for thirty days and shall pay the costs of this action, taxed at _____ dollars and _____cents.

STATE OF INDIANA)
VS) # 8197 Judgt. vs Deft. for Costs.
ROY RIDDLE) J. D. 18, Page 241.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Roy Riddle, in his own proper person and also by his attorney, Charles V. Sears, and said defendant now asks to withdraw his plea of not guilty and to enter his plea of guilty in this cause. The Court being sufficiently advised, now grants said request, and the defendant pleads guilty of operating vehicle on public highway without driver's license.

It is, therefore, adjudged by the Court that said defendant, Roy Riddle, for the offense by him committed, (operating motor vehicle without a license), shall be sentenced to the Indiana Penal Farm for thirty days and shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 8196 Judgt. vs Deft. for Costs.
ROY RIDDLE) J. D. 18, Page 242.

Comes now the State of Indiana, by George W. Hadley, Prosecuting

Attorney, and comes also the defendant, Roy Riddle, in his own proper person and by his attorney, Charles V. Sears, and now said defendant asks to withdraw his plea of not guilty and to enter his plea of guilty in this cause. The Court being sufficiently advised, now grants said request, and the defendant pleads guilty.

It is, therefore, adjudged by the Court that said defendant for the offense by him committed,(driving motor vehicle under influence of intoxicating liquor, second offense), shall be sentenced to the Indiana Penal Farm for one year, and 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 R. Hanna, Judge.

Wednesday Morning, December 3rd, 1941.

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

STATE BANK OF LIZTON, RECEIVER)
OF PITTSBORO STATE BANK)
VS) # 15293
GROVER BRAY,)
GRACE BRAY,)
PATRICK DUGAN AND)
EVART WATSON)

The defendants are ruled to answer complaint herein on or before December 15th, 1941.

METHODIST EPISCOPAL HOSITAL)
OF INDIANA)
VS) #15155
LLOYD EWING, ET AL.)

The defendants are ruled to answer on or before December 15th, 1941.

ALBERT P. HALL)
VS) # 16533
LULA J. DUNN-HALL)

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

E. GEORGE BERKMYER)
VS) # 16041
THE WILLIAM H. BLOCK CO.)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

BERNICE SPENCER)
VS) # 16441
HERBERT J. STEDFELD)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being suffi-

ciently advised in its premises, now sustains said motion, and this cause is dismissed, costs paid.

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

LILLIAN A. L. OBERTING)
VS) # 15426
ANNA MAAR)

The Court being duly advised now overrules plaintiff's motion to reconsider Court's ruling in sustaining defendant's demurrer to plaintiff's second amended complaint herein, and the plaintiff is ruled to plead over on or before December 15th, 1941.

STATE OF INDIANA, EX REL.)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

The Court now overrules defendant's motion to require the plaintiff to make second amended complaint more specific, to which ruling of the Court the defendants objects and except.

The defendants are ruled to answer second amended complaint on or before December 9th, 1941.

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 4th, 1941.

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

STELLA M. TAFLINGER AND)
E. A. WHITE)
VS) # 16394
MANERVA MARCHAL)

Comes now the defendant 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: (H.I.).

THOMAS M. REEVES)
VS) # 16531 ORDER FOR NOTICE OF PUBLICATION
ETHEL M. REEVES)

Comes now the plaintiff, Thomas M. Reeves, and having filed his complaint herein which is for divorce and now files his affidavit showing that the defendant's address is unknown to said plaintiff and that so far as he knows she is a non-resident of the State of Indiana and that he has not heard tell of her since on or about Mah 9, 1941: That said action is for an absolute divorce from said defendant, which affidavit is of the following words and figures, to wit, (H.I.). Said plaintiff now moves the court for an order that the filing and pendency of said suit be given to said defendant, Ethel M. Reeves, by publication, as required by the statute of the State of Indiana.

It is, therefore, ordered that the Clerk of this court give notice to said defendant of the filing and pendency of said suit, and when and where the same will be heard, by publication thereof in some public newspaper of general circulation printed and published in the English language in Hendricks County, Indiana, the same to be returnable January 31, 1942.

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM)
ASSN., INC.)

The Court being duly advised, now overrules defendants' motion to strike out parts of plaintiff's complaint herein, to which ruling of the Court the defendants separately and severally object and except.

The defendants are ruled to answer complaint herein on or before December 15th, 1941.

GRACE EDITH CROUCHER)
VS) # 16125 ORDER TO APPEAR AND ANSWER
HARRY DICKSON,)
ANNA DICKSON doing business)
under the firm name of)
Dicksons Pharmacy)

It appearing to the Court that Grace Edith Croucher plain-

tiff in the above entitled cause, has filed in this Court her verified petition to the effect that on the third day of April 1941, she recovered a judgment in this Court against the above named defendants for the sum of Five Hundred Dollars and costs, that thereafter she caused an execution to issue on said judgment and that the same was delivered to the Sheriff of Marion County; that thereafter the said Sheriff of Marion County returned said execution wholly unsatisfied on the 21st day of October 1941 and did show by his return that he found no property of the defendants subject to execution.

AND THE COURT having seen and inspected said petition and being duly advised in the premises, it is therefore now ordered by the Court that the said Harry Dickson and Anna Dickson be and appear before this Court on the 9th day of December 1941 at the hour of 1:30 o'clock P.M. to answer as to any property they may have in said Marion County subject to execution and to show cause, if any they have, why the same should not be applied to satisfaction of said judgment.

IOLA GLADYS RUNYON)
VS) CAUSE NUMBER--16532 Judgt. vs Deft. for $50.00 Additional Attys. Fees.
ORA A. RUNYON) ENTRY J. D. 18, Page 242.

Comes now the plaintiff in person and by her attorneys, Frank Martino and John A. Kendall, and comes the defendant in person and by his attorneys, Sidney Horn and Archie Kahl, and it appearing to the satisfaction of the Court that the defendant herein has been duly notified of the filing and pendency of the plaintiff's petition for support and attorney fees and that he has also been duly notified of the plaintiff's petition for an injunction, by the notice signed by the Clerk of said Court, which notices are of the followin words and figures, to wit, (H.I.). Which notice was served on said defendant by the Sheriff of Marion County. And said time having arrived for trial and the date thereof as given in said notice. The defendant now files petition to dissolve the restraining order and the petition to modify the support order which motion is of the following words and figures, to wit, (H.I.). Whereupon said petitions as filed by said plaintiff and defendant and submitted to the Court for hearing, finding and decree.

The Court having heard the evidence and being duly advised finds for the plaintiff upon her petition for restraining order and that said defendant should be restrained from transferring, selling or assigning or further mortgaging said Buick automobile: That the order heretofore made in this cause for maintenance and support and attorney fees should be amended only as to the amount to be paid to plaintiff's attorneys for their use herein and that said defendant should pay to said plaintiff's attorneys an additional sum of $50.00 within thirty (30) days from date hereof and the Court finds against the defendant on his petition to dissolve the restraining order heretofore issued in this cause, restraining the Railroad Mens Federal and Loan Association and the Indiana National Bank from paying to said defendant any money he had in said institute and also against said defendant in lowering the support money which he has heretofore been ordered to pay.

It is, therefore, ordered, adjudged and decreed that the temporary restraining order heretofore issued in this Court be made permanent until further order, restraining said defendant from transferring, selling or assigning or further mortgaging said Buick automobile: That the order heretofore made in this cause for maintenance and support and attorney fees should be amended only as to the amount to be paid plaintiff's attorneys and said defendant is ordered hereby to pay an additional sum of $50.00

for plaintiff's attorneys use in this cause, the same to be paid within thirty (30) days from date of December 4, 1941. That the defendant's petition to dissolve the restraining order, restraining the Railroad Mens Federal and Loan Association and the Indiana National Bank from paying over to this defendant any money therein is hereby denied and the defendant's petition to modify support order his also denied, all of which is fully adjudged this 4th day of December, 1941.

MARTHA MAC DOUGALL EMHARDT)
VS) # 16250
PERRY STADIUM, INCORPORATED,)
ET AL.)

Comes now the plaintiff by her attorneys, and the Judge having approved and signed the plaintiff's Bill of Exceptions No. One Containing Objections and Exceptions to Instructions, and thereafter having ordered it made a part of the record, the said Bill of Exceptions is now filed and made a part of the record and is as follows: (H.I.).

Comes now the plaintiff by her attorneys, and the Judge having approved and signed the plaintiff's Bill of Exceptions No. Two Containing the Evidence, and thereafter having ordered it made a part of the record, the said Bill of Exceptions is now filed and made a part of the record and is as follows: (H.I.).

GRACE EDITH CROUCHER)
VS) # 16537 ORDER TO APPEAR AND ANSWER
HARRY DIXON, ET AL, ETC.)

It appearing to the Court that Grace Edith Croucher plaintiff in the above entitled cause, has filed in this Court her verified petition to the effect that on the third day of April 1941, she recovered a judgment in this Court against the above named defendants for the sum of Five Hundred Dollars and costs, that thereafter she caused an execution to issue on said judgment and that the same was delivered to the Sheriff of Marion County; that thereafter the said Sheriff of Marion County returned said execution wholly unsatisfied on the 21st day of October 1941 and did show by his return that he found no property of the defendants subject to execution.

AND THE COURT having seen and inspected said petition and being duly advised in the premises, it is therefore now ordered by the Court that the said Harry Dicson and Anna Dickson be and appear before this Court on the 9th day of December 1941 at the hour of 1:30 o'clock P.M. to answer as to any property they may have in said Marion County subject to execution and to show cause, if any they have, why the same should not be applied to satisfaction of said judgment.

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

Horace R. Hanna, Judge.

Friday Morning, December 5th, 1941.

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

THOMAS A. DUKE)
VS) # 16460
JENNIE A. BONNER)
THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA)

Comes now the defendant, by counsel, and the Court having seen and examined the plaintiff's demurrer, heretofore filed, and being sufficiently advised in its premises, now sustains said demurrer to defendant's first paragraph of answer, to which ruling of the Court the defendant, Jennie A. Bonner, objects and excepts.

MARY R. ELMORE)
VS) # 16474
ARTHUR A. ELMORE)

The Court being duly advised, now sustains defendant's plea in abatement until the plaintiff dismisses cause number 15,898 of this court, and pays the costs for dismissal thereof.

MEREDITH E. OSBORNE)
VS) # 16446
ALFRED T. McCLAIN)
RITA McCLAIN)

Court being duly advised, now sustains defendants' motion to strike out parts of plaintiff's complaint, to which ruling of the Court the plaintiff objects and excepts.

JAMES J. COYNE)
VS) # 16492
INDIANAPOLIS UNION RAILWAY CO.)
BELT RAILROAD & STOCKYARDS CO.)

The Court being duly advised, now sustains defendants' separate and several motion to strike out parts of plaintiff's complaint, to which ruling of the Court the plaintiff objects and excepts.

The plaintiff is ruled to plead over on or before December 20th, 1941.

SPEEDWAY STATE BANK)
VS)# 16478
PATRICK J. WALSH)

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

The Court being sufficiently advised, now sustains said motion, and this cause is dismissed, costs 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, December 6th, 1941.

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

STELLA M. TAFLINGER)
E. A. WHITE)
VS) # 16394
MANERVA MARCHAL)

Come now the parties, and the Court now sustains motion and affidavit for change of venue from Hendricks County, Indiana. The parties failing to agree on adjoining county, the Court submits the names of counties adjoining Hendricks County, Indiana, to the parties and the parties now strike as provided by law, and Boone County, Indiana, remaining, said cause is now ordered venued to Boone County, Indiana, and ten days are given to perfect said change.

WILLIAM DE HART,)
OTIS DE HART, PARTNERS, ETC.)
VS) # 16157
INDIANA RAILROAD, A CORP.)

Comes now the defendant, and asks to withdraw their answer in abatement herein. The Court being sufficiently advised, now grants said request, and plea in abatement is withdrawn.

The defendant files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

ORONA SUMMERS)
VS) # 16449
ALFRED T. McCLAIN)
RITA McCLAIN)

Comes now the plaintiff, by counsel, and the Court being duly advised, now sustains defendants' motion to strike out parts of complaint herein, as to specification number one, to which ruling of the Court the plaintiff objects and excepts, and the Court now overrules defendants' motion to strike out parts of complaint herein as to specifications numbered two and three of said motion, to which ruling of the Court the defendants separately and severally object and except.

The defendants are ruled to answer complaint herein on or before December 20th, 1941.

UNION FEDERAL SAVINGS AND)
LOAN ASSOCIATION)
VS) # 16415
ALICE B. SMITH)
DAVID F. SMITH)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustans the same, and this cause is dismissed,

costs paid.

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

WILLIAM SUMMERS)
VS) # 16447
ALFRED T. McCLAIN)
RITA McCLAIN)

Court being duly advised, now sustains defendants' motion to strike out parts of complaint herein as to specification number one, to which ruling of the Court the defendant objects and excepts; and the Court now overrules defendants' motion to strike out parts of complaint herein as to specifications numbered two and three, to which ruling of the Court the defendants separately and severally object and except.

Defendants are ruled to answer complaint herein on or before December 20th, 1941.

NETTIE OSBORNE)
VS) # 16448
ALFRED T. McCLAIN)
RITA McCLAIN)

The Court being duly advised, now sustains the defendants' motion to strike out parts of complaint herein as to specifications numbered one and two of said motion, to which ruling of the Court the plaintiff objects and excepts; and the Court now overrules defendants' motion to strike out parts of complaint herein as to specification number three of said motion, to which ruling of the Court the defendants separately and severally object and except.

The defendants are ruled to answer complaint herein on or before December 20th, 1941.

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY)

Come now the parties, and move the Court to suggest three nominees for special judge in this cause. The Court being duly advised, now sustains said motion, and the Court now submitts the names of Honorable Omer O'Hara, Judge of Morgan Circuit Court; Honorable C. C. Gillen, Putnam County, Indiana; and Honorable George L. Denny, Indianapolis, Indiana, to strike from which to select special judge to thry this cause.

STATE OF INDIANA, EX REL,)
HOWARD M. STANTON, ETC.)
VS) # 16088
FRANK E. McKINNEY, AS TREASURER, ET AL.) RESTRAINING ORDER

Come now the parties plaintiff and the defendants failing to appear although notified and relator's petition for restraining order herein having been heretofore submitted to the Court and the Court being duly advised in the premises now finds for the relator and that the prayer of said petition should be granted and re-

straining order issued restraining the defendant, Glenn B. Ralston, auditor of Marion County, Indiana, from taking any action under the delinquent tax law of 1941, the same being Section 2 of Chapter 224 of the Acts of the general assembly of the State of Indiana approved March 12, 1941 that will effect the real estate set out and described in the relator's complaint filed in this action.

Wherefore it is considered, ordered and adjudged that the defendant, Glenn B. Ralston, Auditor of Marion County, Indiana, be and is hereby restrained and enjoined from taking any action under the 1941 delinquent tax law the same being Section 2 of Chapter 224 of the acts of the General Assembly of the State of Indiana approved March 12, 1941 so far as the same effects the real estate set out and described in the plaintiff's complaint herein all until the further order of the Court.

Horace L. Hanna,
Judge Hendricks Circuit Court.

STATE OF INDIANA on the relation)
of Howard M. Stanton)
VS) # 16090 RESTRAINING ORDER.
FLORENCE E. GROSSART)
as auditor, et al.)

Come now the parties plaintiff and defendants failing to appear although notified and relator's petition for restraining order herein having been heretofore submitted to the Court and the Court being duly advised in the premises now finds for the relator and that the prayer of said petition should be granted and restraining order issued restraining the defendant, Glenn B. Ralston, auditor of Marion County, Indiana, from taking any action under the delinquent tax law of 1941, the same being Section 2 of Chapter 224 of the Acts of the General Assembly of the state of Indiana approved March 12, 1941 that will effect the real estate set out and described in the relator's complaint filed in this action.

Wherefore, it is considered, ordered and adjudged that the defendant, Glenn B. Ralston, Auditor of Marion County, Indiana, be and is hereby restrained and enjoined from taking any action under the 1941 delinquent tax law the same being Section 2 of Chapter 224 of the Acts of the General Assembly of the State of Indiana approved March 12, 1941 so far as the same effects the real estate set out and described in the plaintiff's complaint herein all until the further order of the Court.

Horace L. Hanna,
Judge Hendricks Circuit Court.

STATE OF INDIANA on the relation)
of Cyril J. VanMeter)
VS) NO. 16091 RESTRAINING ORDER
FRANK E. McKINNEY)
as Treasurer, et al.)

Come now the parties plaintiff and the defendants having failed to appear though notified and relator's petition for restraining order herein having been heretofore submitted to the Court and the Court being duly advised in the premises now finds for the relator and that the prayer of said petition should be granted and restraining order issued restraining the defendant, Glenn B. Ralston, auditor of Marion County, Indiana, from taking any action under the delinquent tax law of 1941, the same being Section 2 of Chapter 224 of the Acts of the General Assembly of the State of Indiana approved March 12, 1941 that will effect the real estate set out and described

in the relator's complaint filed in this action.

Wherefore it is considered, ordered and adjudged that the defendant, Glenn B. Ralston, Auditor of Marion County, Indiana, be and is hereby restrained and enjoined from taking any action under the 1941 delinquent tax law the same being Section 2 of Chapter 224 of the Acts of the General Assembly of the State of Indiana approved March 12, 1941 so far as the same effects the real estate set out and described in the plaintiff's complaint herein all until the further order of the Court.

Horace L. Hanna
Judge Hendricks Circuit Court.

JOSEPH M. DUNCAN)
VS) # 16481 Judgt. vs Pltf. for Costs.
ANNABELLE DUNCAN) J. D. 18, Page 242

Comes now the plaintiff, and shows to the Court the notice to non-resident defendant and the proof of publication thereof, which is in the following words and figures, to-wit: (H.I.), and the Court examining same, finds that said defendant, Annabelle Duncan, has been duly notified by publication of notice herein of the pendency of this cause as provided by law.

Comes now George W. Hadley, Prosecuting Attorney, and enters his appearance herein, 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.

On motion of the plaintiff, said cause is now 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 plaintiff's complaint are true and that the plaintiff is entitled to a decree for an absolute divorce from the defendant, all at the plaintiff's cost.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony, heretofore existing between the plaintiff and defendant, are set aside and dissolved, and the plaintiff is hereby granted an absolute divorce from the defendant.

It is further considered, ordered and adjudged by the Court, that the plaintiff, Joseph M. Duncan, 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, December 8th, 1941.

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

ROBERT W. FRANKFORTH)
VS) # 16526
GEORGE FREDRICKS)

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.).

ALVA R. SMITH)
VS) # 16333
SPEEDWAY STATE BANK)

Court being duly advised, now overrules defendant's motion for new trial, to which ruling of the Court the defendant objects and excepts.

STATE OF INDIANA, EX REL)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Come now the defendants, by counsel, and file demurrer to plaintiff's second amended complaint, which demurrer is in the words and figures follow-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, December 9th, 1941.

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

NATIONAL CYLINDER GAS CO.,)
VS) # 16529
RALPH PARSONS,)

Come now Kivett and Kivett, and file appearance for the defendant herein, and ask for time to answer complaint herein, which appearance is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA, EX REL,)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Come now the parties,and oral argument is had on demurrer to plaintiff's second amended complaint, and the Court takes matter under advisement.

STATE BANK OF LIZTON, RECEIVER OF)
PITTSBORO STATE BANK)
VS) # 15293 Judgt. vs Pltf. for Costs.
GROVER BRAY, GRACE BRAY,) J. D. 18, Page 243.
PATRICK DUGAN AND EVART WATSON)

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

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, State Bank of Lizton, Receiver of Pittsboro State Bank, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

MARTHA REEVES)
VS) # 16552 ORDER FOR PAYMENT Judgt. vs Deft. for $125.00.
GLENDON REEVES) J. D. 18, Page 243.

Comes now the plaintiff in person and by her attorneys Russell Dean and John A. Kendall, and comes also the defendant in person and by his attorney C. V. Sears, and it appearing to the satisfaction of the court that the defendant has been duly notified of the plaintiff's application for support and attorneys fees and also of plaintiff's application for a restraining order, by notice served on said defendant by the sheriff of said county, which notice and the return thereof, are of the following words and figures, to wit: (H.I.).

Where upon said matter is submitted to the court for finding, trial and decree.

The court having heard the evidence, and argument of counsel, now finds that said plaintiff is entitled to the sum of $125.00, as payment of attorneys fees, support and alimony, and as settlement in full of all property rights between said parties

and that said defendant should pay the same to the plaintiff before date of trial, which will be approximately sixty days from date of filing said complaint; That said defendant should be restrained from selling, transfering, assigning any of his personal property, until further order of court.

It is therefore ordered, adjudged and decreed by this court, that the defendant pay to the plaintiff the sum of $125.00 as payment of attorneys fees, support and alimony, and settlement in full of property rights between said parties, before date of trial, which will be approximately sixty days from date of filing suit, together with money to pay the court costs herein; and That said defendant is restrained from selling, disposing, assigning of any of his personal property until further order of this court.

JOHN B. JUSTICE)
VS) # 16325
FLORA C. TATMAN, ET AL.)

The Clerk is hereby ordered and directed to pay the distribution shown in Commissioner's Final Financial report in the above cause, to:

Flora C. Tatman	$384.28 ✓
Anna Belle Kortkamk	192.14 ✓
Edna Edmonds Dale, or her heirs as shown in said report	128.09 O

upon receiving proper receipt from said parties and they, respectively, properly receipting his docket.

RECEIPTS:

1. April 22- 1942 Rec'd. $384.28 my distributive share herein. Flora C. Tatman By John A Kendall (Flora C. Tatman)
2. April 22- 1942 Rec'd. $192.14 my distributive share herein. Anna Belle Kortkamk By John A Kendall, Atty (Anna Belle Kortkamk)
3. _____ Rec'd. $128.09 my distributive share herein. _____ (Edna Edmonds Dale) or heirs, as shown in said report.

Mod. ST

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 10th, 1941.

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

ALBERT E. UHL, EXECUTOR OF THE ESTATE OF LETHA R. HUBINGER, VS HOME INSURANCE COMPANY, NEW YORK.) Judgt. vs Pltf. for Costs. J. D. 18, Page 244. # 16222 ENTRY AND JUDGMENT

Comes now the defendant, Home Insurance Company, New York, by its attorneys, Armstrong & Gause, and having heretofore filed its Plea in Abatement in the above entitled matter, which Plea in Abatement is in the words and figures as follows, to-wit:

(H.I.)

And comes now the plaintiff, Albert E. Uhl, by his attorneys, Ruckelshaus & Ruskelshaus, and files his answer to said Plea in Abatement, which answer is in the words and figures as follows, to-wit:

(H.I.)

And said cause being at issue on the defendant's Plea in Abatement and plaintiff's Answer thereto, and the Court having heard evidence thereon and being duly advised in the premises finds for the defendant, Home Insurance Company, New York, on its Plea in Abatement and that the allegations alleged therein are true. Court further finds that said action should abate, and that the defendant should recover its costs in this proceeding against the plaintiff.

It is Therefore Considered, Ordered and Adjudged that this action do abate and that the costs in this action be assessed against the plaintiff in the amount of $.

The plaintiff at this time objects and excepts to the ruling of the court as set forth herein.

Dated this 10 day of December, 1941.

Marshall D. Abrams, Special Judge of the Hendricks Circuit Court

STATE OF INDIANA) SS: IN THE HENDRICKS CIRCUIT COURT
COUNTY OF HENDRICKS) NO. 16250
MARTHA MACDOUGALL EMHARDT)
VS) PRAECIPE FOR TRANSCRIPT OF ENTIRE RECORD
PERRY STADIUM, INCORPORATED,) TO W. E. HADLEY, CLERK OF HENDRICKS
et al.) CIRCUIT COURT.

You are hereby requested and directed to prepare and certify for use on appeal to the Appellate Court a complete transcript of the entire record of the above-entitled cause, including therein without copying, the Bill of Exceptions No. 1 Containing Objections and Exceptions to Instructions and the Bill of Exceptions No. 2 Containing the Evidence.

Dated this 6th day of December, 1941.

CLAYCOMBE & STUMP
By Albert Stump
Albert Stump
Attorneys for Plaintiff.

STATE OF INDIANA IN THE HENDRICKS CIRCUIT COURT

HENDRICKS COUNTY NOVEMBER TERM 1941

SARAH MARIE GLADDEN

VS RULE TO SHOW CAUSE

PAUL GLADDEN # 16222

Sarah M. Gladden, having filed this day in this court her verified information concerning the contempt of this Court of Paul Gladden, which is as follows, to wit: (H.I.)

State of Indiana In the Hendricks Circuit Court

Hendricks County November Term 1941

Sarah Marie Gladden Information of indirect contempt

vs of Court #16222

Paul Gladden

Sarah Marie Gladden being duly sworn upon her oath, says and informs this court, that during the January Term of Court 1941, the above cause was heard by the Judge of said Court, the same being the Hon. Horace L. Hanna; and 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 a divorce, and ordered the defendant to pay to this plaintiff for the care and support of her child the sum of $4.00 per week; also court cost in the sum of $17.35, and also ordered to pay to plaintiff's attorney John A. Kendall, the sum of $35.00 with in 90 days from date thereof. That said defendant has at all time failed to comply with said order, and has knowingly and wilfully refused, neglected to pay the same as ordered by this court.

SARAH MARIE GLADDEN

Subscribed and sworn to before me this 9th of December 1941

John A. Kendall

State Representative

It is therefore ordered by this Court that the said defendant Paul Gladden be and appear in this Court on the 12th of December 1941 at 1 P.M., to show cause, if any, why he should not be attached and punished for contempt of court.

Horace L. Hanna Judge

Hendricks Circuit Court

Dated this 10th of December 1941.

EVALINE STACKHOUSE)

VS) # 16380

INDIANAPOLIS RAILWAYS, CO.)

Comes now the defendant, and moves the Court to publish conditional examination of plaintiff. The Court being sufficiently advised, now sustains said motion and conditional examination is ordered published.

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: Anson Kellems, Henry L. Gentry, Everett Robinson, Albert Gable, Noble Nuchanan, Isaac Schenck, James Kibbey, Jessie M. Lowe, Ora Groover, Walter H. Bulion, Gaylord Good and Ed Misch, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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.

Opening statements are made, and the jury is allowed to separate until 1:15 P. M., under proper instructions of the Court during such separation.

Jury is again brought into Court and evidence of the plaintiff is completed and plaintiff rests.

Comes now the defendant, at the close of the plaintiff's evidence and before any evidence is offered on defendant's behalf, and files motion for directed verdict, which motion is in the following words and figures, to-wit: (H.I.).

The jury is now allowed to separate until 9:00 o'clock A. M., December 11th,1941, upon receiving proper instructions as to their duties during 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, December 11th, 1941.

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

FLETCHER TRUST COMPANY)
VS) # 16407
MABEL M. NEWMAN)

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

GEORGE ISENHOWER, A MINOR,)
BY HIS NEXT FRIEND ANNA)
ISENHOWER)
VS) # 16469
GEORGE DAVIS, A MINOR, ET AL.)

Come now the defendants, and file answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

JAMES J. COYNE)
VS) # 16492
INDIANAPOLIS UNION RAILWAYS CO. AND)
BELT RAILROAD & STOCKYARDS CO.)

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

EVALINE STOCKHOUSE)
VS) # 16380
INDIANAPOLIS RAILWAYS, CO.)

Come now the parties, in person and by counsel, and the Court being duly advised, now overrules defendant's motion for directed verdict to the jury, to which ruling of the Court the defendant at the time objects and excepts.

The jury is again brought into Court and evidence is continued and completed. At the conclusion of all the evidence and before argument, the defendant renews and files its motion for a directed verdict in its favor made at the close of plaintiff's evidence and again moves the 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.).

The jury is again allowed to separate until 9:00 o'clock A. M., December 12th, 1941, upon receiving proper instructions as to their duties during such separation.

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 12th, 1941.

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

SARAH MARIE GLADDEN)
VS) # 16222
PAUL GLADDEN)

Comes now the defendant, and comes also the plaintiff, in person and by her attorney, and evidence is now heard on the petition for indirect contempt of court of the defendant, Paul Gladden.

The Court finds that said defendant is now in arrears in his weekly payments in the sum of $69.00, that he has not paid the $35.00 attorney fees, nor has he paid the $17.00 court costs. The Court orders the defendant to report to the Court on December 20th, 1941, as to the amount he has paid on this delinquency and as to whether he has secured employment, and continues this hearing to said date.

EVALINE STOCKHOUSE)
VS) # 16380
INDIANAPOLIS RAILWAYS, CO.)

Come now the parties, in person and by counsel, and the Court being duly advised, now overrules defendant's motion for a directed verdict, to which ruling of the Court the defendant objects and excepts.

Comes now the plaintiff at the close of all the evidence, and tenders to the Court instructions numbered 1 and 2, both inclusive, with written request therefore to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury. Comes now the defendant at the close of all the evidence and tenders to the Court instructions numbered 1 to 6, both inclusive, with written request therefore to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury. And now the Court indicates by written memorandum all instructions that will be given and all instructions that will be refused by the Court. The Court indicates he will not give any instructions tendered by the plaintiff and will refuse to give instructions numbered 1 and 2 tendered by the plaintiff. The Court indicates that it will give instructions numbered 1, 3 and 5 tendered by the defendant, and will refuse to give instructions numbered 2, 4 and 6 tendered by the defendant. The Court now tenders to the plaintiff and to the defendant the instructins to be given by the Court of its own motion, said instructions being numbered 1 to 22, both inclusive.

Comes now the plaintiff at the close of the evidence and before argument and after all instructions had been submitted and the Court indicated which instructions it would give and which instructions it would refuse to give, and now said plaintiff, having had reasonable opportunity to examine said instructions, does now orally state his specific objections out of the presence of the jury, to each of the following instructions. Plaintiff now objects and excepts to instruction numbered 5 tendered and requested by the defendant herein.

All of said specific objections and exceptions of said plaintiff made orally are taken by the Reporter and may be made a part of the record by general or special bill of exceptions.

Comes now the defendant, at the close of the evidence and before the beginning of argument and after all instructions had been submitted and the Court had indicated which instructions it would give and which instructions it would refuse to give, and the defendant now objects and excepts to instructions numbered 5, 7, 14, 15, 16, 17 and 18, tendered by the Court of its own motion, and which written objections and exceptions and the reasons for said objections and exceptions are now filed and are in the following words and figures, to-wit: (H.I.). And comes now the defendant at the close of the evidence, and before beginning of argument and after all instructions had been submitted and the Court had indicated which instructions it would give, and which instructions it would refuse to give, and the defendant now objects and excepts to the Court's refusal to give instructions numbered 2, 4 and 6 tendered by the defendant, and the plaintiff objects and excepts to the Court's refusal to give plaintiff's tendered instructions numbered 1 and 2.

Now this cause is presented to the jury in oral argument. And now the Court instructs the jury by giving to the jury of its own motion instructions numbered 1 to 22, both inclusive. The Court refuses to give to the jury instructions numbered 1 and 2, tendered by the plaintiff. The Court gives to the jury instructions numbered 1, 3 and 5 tendered by the defendant, and the Court refuses to give instructions 2, 4 and 6 tendered by the defendant.

And now all instructions, including those tendered, given and refused, together with the Court's memorandum thereon, and the written objections and exceptions of the plaintiff and of the defendant are ordered filed, and filed and ordered made and made a part of the record in this cause, without bill of exceptions. And now the jury retires to deliberate upon its verdict.

The jury now returns into open Court its verdict in the following words and figures, to-wit:

STATE OF INDIANA — IN THE HENDRICKS CIRCUIT COURT,
HENDRICKS COUNTY, SS: — NOVEMBER TERM, 1941.
Evaline Stackhouse) — No. 16380.
vs.)
Indianapolis Railways, Inc.) — VERDICT.

We, the Jury, find for the defendant.

ALBERT M. GABEL
Foreman of the Jury.

which said verdict is now received by the Court and filed.

The jury is discharged from further duties in this cause 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, December 13th, 1941.

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

STATE OF INDIANA EX REL)
LUTHER SYMONS,)
V.) # 13635 ENTRY.
HUNTER BANK OF BROWNSBURG.)

Comes now Charles B. Davison, as Receiver of Hunter Bank of Brownsburg in the above entitled cause and files his verified petition for instructions relative to a proposed settlement with The Metropolitan Casualty Insurance Company of New York of all liability by reason of its being Surety upon the bond of Harney Semones, former Receiver of this Trust, which petition is in the words and figures as follows, to-wit: (H.I.)

And the Court having seen and examined said petition and having examined the final report of Harney Semones, prior Receiver, which report was filed by Willa Semones, as Administratrix.

And evidence being heard and the Court being duly advised in the premises does now find that the claim of Charles B. Davison as Receiver of Hunter Bank of Brownsburg against The Metropolitan Casualty Insurance Company of New York as surety upon the bond of Harney Semones as Receiver, should be compromised, adjusted and finally settled, by the payment to said Charles B. Davison, as such Receiver by the said The Metropolitan Casualty Insurance Company of New York of the sum of Seventeen Hundred Forty Dollars ($1740.00) in full and final release and discharge of any and all liability of said surety upon said bond.

It is therefore ordered, adjudged and decreed, and the said Charles B. Davison, as Receiver of the Hunter Bank of Brownsburg is hereby directed, authorized and ordered to accept from The Metropolitan Casualty Insurance Company of New York the sum of Seventeen Hundred Forty Dollars ($1740.00) in full and final settlement and discharge of all liability of said The Metropolitan Casualty Insurance Company of New York, as surety upon the bond of Harney Semones as Receiver of Hunter Bank of Brownsburg.

And the said Charles B. Davison is further authorized, directed and ordered to execute and deliver to said The Metropolitan Casualty Insurance Company of New York a release in full and final settlement of any and all liability by reason of its execution as surety on the bond of said Harney Semones as Receiver of Hunter Bank of Brownsburg.

CHARLES W. BANGE, et al.)
VS) No. 16434. ENTRY.
ALBERT STRONG MILES, et al.)

Come now the plaintiffs and files their written dismissal in the above entitled cause, which dismissal is in the words and figures as following, to-wit: (H.I.)

And come now the defendants, Albert Strong Miles and Bernice Miles, and withdraw their answer and interpleader heretofore filed and pray the Court for an order directing the Clerk of this Court to return and pay to Robert Hollowell, Jr.,

attorney for the defendants, the sum of $240.28 heretofore deposited by said Robert Hollowell, Jr., as attorney for said defendants, with the Clerk of this Court, which petition is in the words and figures as follows, to-wit: (H.I.)

And now the Court grants said petition to withdraw and orders the Clerk to return and pay to Robert Hollowell, Jr., as attorney for the defendants Albert Strong Miles and Bernice Miles the sum of $240.28 being the sum heretofore deposited with the Clerk of this Court.

And said cause is now dismissed, costs paid.

R E C I E P T:

Dec 15th 1941 Received $240.28 of Walter E. Hadley, Clerk, distribution as ordered.

Robert Hollowell Jr.

(Robert Hollowell, Jr., Atty. for Defendants.)

FARMERS HATCHERY AND)
SUPPLY COMPANY)
VS) # 16386 Judgt. vs Defts. for $949.08 and Costs.
CLYDE McCARTY) JUDGMENT AND DECREE J. D. 18, Page 244.
GLADYS McCARTY) OF FORECLOSURE

Comes now the plaintiff by Charles H. Foley and John A. Kendall, their attorneys, and it being shown to the satisfaction of the Court that the defendants, Clyde McCarty and Gladys McCarty, have been duly served with process for more than ten (10) days before the 10th day of June, 1941, that being the date endorsed upon the plaintiff's complaint as the return day herein, and which said summons and the return of the Sheriff thereon are in the following words and figures, to wit: (H.I.)

The defendant, Gladys McCarty appears by her attorneys Hume and Gaston, and the defendant, Clyde McCarty, appears by his attorney Charles V. Sears and this cause haveing been set for trial on this date, and the said defendants having filed their several answers which are of the following words and figures, to-wit: (H.I.) this cause is, therefore, submitted to the court for trial, finding and decree with out the intervention of a jury and the Court having been duly advised and heard the evidence, finds for the plaintiff and that the allegations of the plaintiff's complaint are true and correct and that there is due said plaintiff from the defendant Gladys McCarty as principal and defendant Clyde McCarty as surety, upon the note sued on herein the sum of $949.08 which includes principal, $74.08 interest to date and $100.00 attorney fee, said defendants having been given credit on said note for $325.00 which sum the plaintiff is entitled to recover from the defendants to-gether with the cost of this action, first exhausting Gladys McCarty, as principal; All without relief from valuation or appraisement laws. And the court further finds that said sum of money due the plaintiff is secured by chattle mortgages upon the goods and property described in the plaintiff's complaint. The Court further finds that said mortgages were duly recorded in the office of the Recorder's in Hendricks County, Indiana in which the defendant Gladys McCarty resided at the time they were so executed, and the court further finds that the plaintiff is entitled to have its mortgage foreclosed and said property sold for the payment and satisfaction of its debt.

It is, therefore, ordered, adjudged and decreed by this court that the plaintiff have and recover of and from the defendants herein the sum of $949.08 which is made up as follows, $775.00 principal, $74.08 interest, $100.00 attorney fee;

All with out relief from valuation or appraisement laws to-gether with the cost of this action taxed at the sum of $_____.

It is further ordered, adjudged and decreed by the Court that plaintiff's mortgages be foreclosed and that the goods and property therein named which are as follows, to wit: 1000 broilers chicks, 1275 white and barred rock chicks, 1000 broiler chicks, or so much that may be necessary for that purpose be sold by the Sheriff of said Hendricks County, Indiana, as other goods, chattles and personal property are sold on execution and the sale to be with out any relief from valuation or appraisement laws.

Proceeds arising from said sale are to be applied as follows: (1) To the payment of cost and accruing cost herein. (2) To the payment of the amount due plaintiff on the claim sued upon herein, being the amount of the judgement hereinbefore rendered to-gether with interest from this date at the rate of 8% per annum. (3) The overplus, if any, to be paid by the Sheriff to the clerk of this court for the use of the party lawfully entitled and authorized to receipt the same.

In the event said mortgaged property shall fail to sell for the sum sufficient to pay and satisfy said judgement, interest, cost, and accruing cost, the residue remaining unpaid shall be levied on the goods and chattles and lands and tenaments of said defendant Gladys McCarty as principal and Clyde McCarty as surety, subject to execution, and the sale thereof shall be made with out relief whatever from valuation or appraisement law.

All of which is ordered, adjudged, and decreed by the Court this 13th of December 1941.

BAYARD BENEDICT)
VS) # 16536
BOYCE CONN)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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

Horace C. Hanna, Judge.

Monday Morning, December 15th, 1941.

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

GRACE EDITH CROUCHER)
VS)# 16125
GARRY DIXON, ET AL., ETC.)

Come now the parties, and the Court being duly advised, now overrules plaintiff's motion to strike out of the record said proceedings supplementary together with all orders, to which ruling of the Court the defendant objects and excepts. The Court directs the Clerk of this Court to docket the supplementary proceedings as a separate cause, giving it a separate number, and to show all proceedings had under the correct number of said cause.

STATE OF INDIANA, ON THE)
RELATION OF RALPH K. LOWDER)
VS) # 16437
GEORGE E. CLAWSON)

Come now the parties, and this cause is now at issue. The defendant files request for the Court to make a special finding of facts and to state conclusions of law thereon. The Court now grants said request.

This cause is now submitted to the Court, evidence is heard, and this cause is now continued for filing of briefs and argument of counsel.

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 16th, 1941.

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

GRACE EDITH CROUCHER)
VS) # 16537
HARRY DIXON, ET AL, ETC.)

Comes now the plaintiff, and comes also the defendants, and hearing is had, both defendants submitting to examination, and this cause is continued.

FLETCHER TRUST COMPANY)
VS) # 16407
MABEL M. NEWMAN)

Come now the parties, 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 continued for argument and filing of briefs.

PAUL H. SULLIVAN)
HARRIETT HOFFMAN)
VS) NO. 16395 ORDER APPROVING FINAL REPORT OF COMMISSIONER
MARIAN HARDY ET. ALS.)

Comes now John C. Reed, commissioner herein, and files the following, his final report which is in words and figures as follows: (H.I.), showing that after payment of the costs of this action and necessary expenses thereof and allowances pursuant to the order of this court, there remained in his hands for distribution the amount of $1816.47, which sum, pursuant to the order, decree, and judgment of this court in this cause entered and as evidenced by vouchers filed therewith, he has paid out and distributed said amount as follows:

To Paul H. Sullivan, plaintiff----------	1/5th thereof---	$363.29
To Harriett Hoffman, plaintiff----------	1/5th thereof---	363.30
To Marian Hardy, defendant----------	1/5th thereof---	363.30
To Aaron A. Sullivan, defendant----------	1/35th thereof--	51.89
To John D. Sullivan, defendant----------	1/35th thereof--	51.90
To Mamie Rush, defendant----------	1/35th thereof--	51.90
To Mabel O'Sullivan, defendant----------	1/35th thereof--	51.90
To Margaret Boswell, defendant----------	1/35th thereof--	51.90
To Dale O'Sullivan, defendant----------	1/35th thereof--	51.90
To Arleigh Mauck, defendant----------	1/35th thereof--	51.90
To Elizabeth Bernard, defendant,----------	1/30th thereof--	60.54
To Glada Moore Groeger, defendant,----------	1/30th thereof--	60.55
To J.W. Davidson, defendant,----------	1/30th thereof--	60.55
To Hazel Wilcox, defendant,----------	1/30th thereof--	60.55
To Chester Davidson, defendant,----------	1/30th thereof--	60.55
To Lillian Lamle, defendant,----------	1/30th thereof--	60.55
Making the total amount distributed of----------		$1816.47

And the court having examined said report, and being sufficiently advised in the premises, does now in all things approve and confirm the same and does now endorse its approval thereon. And said commissioner, having accounted for, and properly disbursed, all sums coming to his hands and with which he is chargeable, and having in all other respects and things fully and completely executed his trust herein, it is now therefore ordered and adjudged by the court that he be and he hereby is fully and finally released and discharged from his bond and trust herein, and this cause is adjudged finally disposed of.

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM)
ASSOCIATION, INC.)

Come now the defendants, and ask for extention of time on the rule to answer complaint herein. The Court being sufficiently advised, now grants said request, and the defendants are ruled to answer complaint herein on or before December 20th, 1941.

WILLIAM DeHART)
OTIS DeHART, PARTNERS, ETC.)
VS) # 16157
INDIANA RAILROAD, A CORP.)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now dismisses the same, costs paid.

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

MARGARET FARRELL)
VS) # 16450 DECREE Judgt. vs Deft. for $63.70 and Costs.
EARL CLINE) J. D. 18, Page 244.

Comes now the plaintiff by her attorney, Archie J. Kahl, and it appearing to the court by the summons herein and the return of 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 her 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.

Comes now Archie J. Kahl, attorney for plaintiff, and files an affidavit which is in the words and figures following: (HI) from which affidavit it appears that the defendant, Earl Cline, is not in the military services of the United States.

And the court having heard the evidence, and being duly advised in the premises, finds for the plaintiff that the allegations of her complaint are true; that there is due her from the defendant and unpaid the sum of $54.00 on the principal and the further sum of $9.70 interest on the account sued on.

It is, therefore, considered and adjudged by the court that the plaintiff recover of the defendant said sum of $63.70, together with her costs and charges in this behalf laid out and expended.

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

Record read and signed in open court.

Horace R. Hanna, Judge.

Wednesday Morning, December 17th, 1941.

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

SAMUEL SANDERS, ET AL.)
vs) # 15748
HANNAH EVERSON, ET AL.)

The Court having seen and examined the Commissioner's final financial report, heretofore filed, and being duly advised in its premises, now approves the same, and said Commissioner is now discharged from his bond and trust herein.

CHARLES F. TYRE)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY)

Come now the parties, by counsel, and strike, and the Honorable C. C. Gillen's name remaining, the Court now appoints Honorable Courtland C. Gillen, Greencastle, Indiana, as Special Judge, to try said cause.

ALBERT P. HALL)
VS) # 16533
LULA J. DUNN-HALL)

Come now the parties, 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 this cause is continued to Friday, December 19th, 1941, at 9:00 o'clock A. M.

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 18th, 1941.

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

IRIS CHASTAIN)
VS) # 16192 On Account of Change of Venue.
HAROLD HUTSON)

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 Fifty Cents ($15.50) in the case of Iris Chastain vs. Harold Hutson 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 sufficient voucher, and authority for so doing.

December 18th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

WILLIAM DE HART,)
OTIS DE HART, PARTNERS, ETC))
VS) # 16157 On Account of Change of Venue.
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. Ten Dollars and Fifty Cents($10.50)in the case of William DeHart, et al. Vs. 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 sufficient voucher, and authority for so doing.

December , 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

JULIA M. BROWN)
VS) # 16205 On Account of Change of Venue.
J. RAY MONAGHAN, ET AL.)

I, Horace L. Hanna, Judge of the 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 Julia M. Brown VS. J. Ray Monaghan, 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 sufficient voucher, and authority for so doing.

December 18th,1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

MILTON GOLD REFINING CO., INC.)
VS) # 15930 On Account of Change of Venue.
MEO LANDAU, 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. Twenty-Five Dollars and - - -Cents ($25.00) in the case of Milton Gold Refining Co., Inc. VS Meo Landau, 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 sufficient voucher, and authority for so doing.

December 18th, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

RALPH JACKSON)
VS) # 16112 On Account of Change of Venue.
DOROTHY JACKSON)

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 Ralph Jackson VS Dorothy Jackson 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 sufficient voucher, and authority for so doing.

December 18th, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

THOMAS NUGENT)
VS) # 15811 On Account of Change of Venue.
STEWART T. TONGRET, 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 theCounty 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-Four Dollars and Fifty Cents ($24.50) in the case of Thomas Nugent VS. Stewart T. Tongret, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the Courty 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 sufficient voucher, and authority for so doing.

December 18th, 1941. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

(ALBERT E. UHL, EX. OF THE)
ESTATE OF) LETHA R. HUBINGER,)
(DECEASED).)
VS) # 16324 On Accoung of Change of Venue
THE HOME INSURANCE CO. OF NEW YORK.)

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-Four Dollars and Fifty Cents ($24.50) in the case of (Albert E. Uhl, Ex. of the Estate of) Letha R. Hubinger, (Dec'd) vs The Home Insurance Co. of New York 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 sufficient voucher, and authority for so doing.

December 18th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

ALVA R. SMITH)
VS) # 16333 On Account of Change of Venue.
SPEEDWAY STATE 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. Fifteen Dollars and Fifty Cents ($15.50) in the case of Alva R. Smith vs. Speedway State 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 o Hendricks and this shall be sufficient voucher, and authority for so doing.

December 18th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

E. GEORGE BERKMYER)
VS) # 16041 On Account of Change of Venue
THE WM. H. BLOCK 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. Six Dollars and - - -Cents ($6.00) in the case of E. George Berkmyer vs. The Wm. H. Block 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 sufficient voucher, and authority for so doing.

December 18th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

UNION FEDERAL SAVINGS AND)
LOAN ASSOCIATION)
VS) # 16415 On Account of Change of Venue.
ALICE B. SMITH)
DAVID F. SMITH)

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. Six Dollars and - - - Cents ($6.00) in the case of Union Federal Savings & Loan Association vs. Alice B. Smith, 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 sufficient voucher, and authority for so doing.

December 18th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

CLINTON C. PRATHER)
VS) # 16406 On Account of Change of Venue.
LEON FRANK, 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 Clinton C. Prather vs. Leon Frank, et al is now autied 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 sufficient voucher, and authority for so doing.

December 18th, 1941. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

HELEN G. VEDETTE)
VS) # 16465 On Account of Change of Venue.
ALVA LUTHER VEDETTE)

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, adjudicate 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 Fifty Cents ($15.50) in the case of Helen G. Vedette vs. Alva Luther Vedette 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 sufficient voucher, and authority for so doing.

December 18th, 1941.

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

HOMER SELCH)
EMMA SELCH)
VS) # 16534
W. C. LOCKE (WHOSE)
CHRISTIAN NAME IS)
UNKNOWN))
MILDRED P. LOCKE)

The defendants are ruled to answer complaint herein on or before January 5th, 1942.

LILLIAN A. L. OBERTING)
VS) # 15426
ANNA MAAR)

Comes now the plaintiff, by counsel, and files third amended complaint, which third amended complaint is in the words and figures followihg, to-wit: (H.I.).

STATE OF INDIANA, EX REL)
LUTHER SYMONS)
V.) No. 13635. ENTRY.
HUNTER BANK OF BROWNSBURG,)
INDIANA.)

Comes now Charles B. Davis, Receiver of the Hunter Bank of Brownsburg, and files his report of the consummation of the settlement with The Metropolitan Casualty Insurance Company, as Surety on the Receiver's bond of Harney Semones, former Receiver of this trust, and also petitioning for authority to declare and pay a final dividend of Ten per cent. (10%) and certain attorney's fees, which verified petition is in the words and figures as follows, towit: (H.I.)

And the Court having examined said petition and having also examined the petition of said Receiver to make final distribution and to make certain allowances heretofore filed on October 22, 1941, evidence being heard upon both of said petitions, and the Court being duly advised in the premises, finds that the prayer of each of said petitions should be granted.

It is therefore ordered, adjudged and decreed that the acts of Charles B. Davison, as Receiver of the Hunter Bank of Brownsburg in connection with

the settlement with The Metropolitan Casualty Insurance Company of New York and his release of said Company from all liability be in all things approved and confirmed.

It is further ordered, adjudged and decreed by this Court that the acts of the Receiver in the settlement of said notes listed in the petition and which were settled for the principal sum of said notes after deducting the credits thereon, should be and the same is hereby approved and confirmed and that this Receiver is authorized to return said notes to the makers thereof in full discharge of their respective obligations.

It is further ordered, adjudged and decreed that the Receiver be and he is hereby allowed for his services and expenses, the sum of Twenty-three Hundred Seven and 54/100 Dollars (w2307.54).

It is further ordered, adjudged and decreed that Edgar M. Blessing be allowed for his services to the predecessor Receiver, Harney Semones, and to Receiver Charles B. Davison, the sum of Sixteen Hundred Fifty Dollars (w1650.00); that John A. Kendall be allowed for services rendered and to be rendered in making final repoft for said Receiver, the sum of One Hundred Dollars ($100.00) and that Robert Hollowell, Jr. be allowed for services the sum of Twenty-five Dollars ($25.00).

It is further ordered, adjudged and decreed that this Receiver be and he is hereby authorized to pay a Ten per cent. (10%) dividend to the depositors of the Hunter Bank of Brownsburg out of the funds now in the hands of said Receiver and that all depositors failing to receive a dividend either in the first or second distribution made by Harney Semones as Receiver be paid any and all back dividends to which they are entitled.

It is further ordered, adjudged and decreed that any contingent liability of this Receiver for the payment of any of the expenses herein estimated by the Receiver shall not reduce the ten per cent. (10%) dividend herein authorized unless it be by the order of this Court.

It is further ordered, adjudged and decreed by the Court that upon making the final distribution in this trust said Receiver shall file a full and detailed account and final settlement of his trust and together with other receipts for expenditures and distribution shall show a clearance certificate from the Gross Income Tax Department of the State of Indiana, all of which is now ordered, adjudged and decreed.

DELORES SWENK)
VS) # 16367 On Account of Change of Venue.
CARL SWENK)

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. Eleven Dollars and - - - Cents ($11.00) in the case of Delores Swenk vs. Carl Swenk 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 sufficient voucher, and authority for so doing.

December 18th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

WALTER W. WATSON)
VS) # 16471 On Account of Change of Venue.
HENRY M. SMITH, 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 Count 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. Six Dollars and - - Cents ($6.00) in the case of Walter W. Watson vs. Henry M. Smith, 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 sufficient voucher, and authority for so doing.

December 18th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

JANE OCHELTREE)
VS) # 16409 On Account of Change of Venue.
BEECHER B. WALKER, 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. Six Dollars and - - - Cents ($6.00) in the case of Jane Ocheltree vs. Beecher B. Walker, 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 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 sufficient voucher, and authority for so doing.

December 18th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

ELIZABETH FRIEDMAN)
VS) # 16408 On Account of Change of Venue.
GLENN E. BLACK)

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. Six Dollars and - - - Cents ($6.00) in the case of Elizabeth Friedman vs. Glenn E. Black 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 sufficient voucher, and authority for so doing.

December 18th, 1941.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

ALBERT BUCHANAN)
VS) # 16376 On Account of Change of Venue.
FRED J. McDERMOTT)

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. Six Dollars and - - - Cents ($6.00) in the case of Albert Duchanan vs. Fred J. McDermott is now audited and allowed as a just and 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 sufficient voucher, and authority for so doing.

December 18th, 1941.

Horace L. Hanna

STELLA COMPTON, ADMINISTRATRIX)
OF THE ESTATE OF CLAUDE COMPTON,)
DECEASED.)
VS) # 15508 On Account of Change of Venue.
THE WAHL CO., (A CORP.), 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 Forty-Six Dollars and Eighty-Five Cents ($246.85) in the case of Stella Compton, Administratrix of the Estate of Claude Compton, Deceased. vs. The Wahl Co., (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 sufficient voucher, and authority for so doing.

December 18th, 1941.

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

LAWRENCE W. SCHISLEY)
NETTIE SCHISLEY)
VS) # 16541
STANDARD INVESTMENT AND)
SECURITIES CO.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 19th, 1941.

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

ALBERT P. HALL)
VS) # 16533 Judgt. vs Pltf. for Costs.
LULA J. DUNN-HALL) J. D. 18, Page 245.

Come now the parties, in person and by counsel, and evidence is continued and completed and argument of counsel is completed.

The Court finds against the plaintiff on his complaint herein.

The Court finds for the cross-complainant on her cross-complaint, and that the allegations of her cross-complaint are true and that the cross-complainant is entitled to an absolute divorce from the plaintiff and that the cross-complainant is entitled to have her former name, Lula J. Dunn, restored to her, and that she is also entitled to her costs and expenses laid out and expended herein.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony existing between the plaintiff and cross-complainant herein be and they are hereby dissolved and the cross-complainant, Lula J. Dunn-Hall is now given hereby an absolute divorce from the plaintiff, Albert P. Hall.

It is further considered, ordered and adjudged by the Court that the cross-complainant, Lula J. Dunn-Hall, have her former name of Lula J. Dunn restored to her, and that the plaintiff, Albert P. Hall, pay the costs of this action, laid out and expended at _____ dollars and _____ cents.

WILLIAM B. HENDRICKS
Plaintiff
VS
VELICA PEARL HENDRICKS
Defendant

VELICA PEARL HENDRICKS
Cross-Complainant
VS
WILLIAM B. HENDRICKS
Cross-Defendant

NUMBER 16438 Judgt. vs Cross-Defendant for $5.00 Per Week and Costs.
J. D. 18, Page 245.

ANSWER

Comes now the above named defendant and files her answer to plaintiff's complaint, which answer is in words and figures following to-wit: (H.I.) and said defendant now files her cross-complaint against said plaintiff which said cross-complaint is in words and figures following to-wit: (H.I.) and now said cross-defendant files answer to cross-complaint, which answer is in words and figures following to-wit: (H.I.) and this cause now being at issue the same is submitted to the court for trial, finding judgment and decree, and the court having heard the evidence and being fully advised and informed in the premises finds against the plaintiff on his complaint and files in favor of the cross-complainant upon her cross-complaint, and that she is entitled to a divorce from said cross-defendant, and is entitled to the care, custody and control of their said child, and that she is entitled to receive five ($5.00) per week from said cross-defendant for the support of said child.

It is therefore ordered, adjudged and decreed by the court

that the said Velica P. Hendricks be, and she is hereby granted an absolute divorce from said cross-defendant, William B. Hendricks, and that their marriage be, and the same is hereby annuled.

It is further adjudged and decreed by the court that said cross-complainant, have, and she is hereby given the care custody and control of said said child, David Eugene Hendricks, and said cross-defendant shall have the right to have said child taken to the home of his mother, but no where else, for a period of twelve weeks out of each year, said twelve weeks to be at a time or times when it will not endanger the health of said child, and when it will not interfere with his school work when he reaches school age.

It is further ordered, adjudged and decreed by the court that said cross-defendant, William B. Hendricks shall pay to the Clerk of the Hendricks Circuit Court the sum of five ($5.00) per week, beginning on Saturday Dec. 27, 1941, and on each Saturday thereafter as long as this order is in force, for the care and support of said child, and said amount is to be paid by the Clerk of the Hendricks Circuit Court to the said cross-complainant. During the time said child is with the mother of said cross-defendant, the same amount of five ($5.00) per week is not to be paid.

It is further adjudged and decreed by the court that the said cross-defendant pay the cost of this action taxed at _____dollars and _____cents, all of which is adjudged and decreed by 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, December 20th, 1941.

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

JOHN WARREN WOODS, BY)
JEFFERSON B. WOODS, HIS)
NEXT FRIEND.)
VS) # 16418
JOHN W. LAMBERT, ET AL.)

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

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

ALBERT P. HALL)
VS) # 16533 On Account of Change of Venue.
LULA J. DUNN-HALL)

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 Dollars and Fifty Cents ($20.50) in the case of Albert P. Hall vs. Lula J. Dunn-Hall 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 sufficient voucher, and authority for so doing.

December 20th, 1941.

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

JOSEPH E. HARDIN)
VS) # 16343
BERT SOUDER)
CHARLES S. RAUH)

Comes now the defendant, Charles S. Rauh, and files additional paragraphs of answer to plaintiff's complaint, which additional paragraphs of answer is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Bert Souder, and files additional paragraphs of answer to plaintiff's complaint, which additional paragraphs of answer are in the words and figures following, to-wit: (H.I.).

MARY E. MARTIN)
VS) # 16520
EMERALD MARTIN)
SADIE MARTIN)

The defendants are ruled to answer amended complaint herein on or before January 5th, 1942.

HOME LUMBER CO.)
VS) # 16277
CHARLES F. TUCKER)
HELEN CLAIRE TUCKER)
BERNICE SHIRLEY)

The defendants are ruled to answer complaint herein on or before January 5th, 1942.

EDWARD L. HOLLIS)
VS) # 16405
UNITED TAXI, INC., ET AL.)

Comes now the plaintiff 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: (H.I.). The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

Comes now the defendant and cross-complainant and files motion to dismiss cross-complaint herein, which motion is in the words and figures following, to-wit: (H.I.). The Court having seen and examined said cross-complaint and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed.

EDWARD L. HOLLIS)
VS) # 16405 On Account of Change of Venue.
UNITED TAXI, 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. Six Dollars and - - - Cents ($6.00) in the case of Edward L. Hollis vs. United Taxi, 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 sufficient voucher, and authority for so doing.

December 20th, 1941.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

GENERAL COURT ALLOWANCE FOR THE NOVEMBER TERM, 1941.

Lillian Priest, Court Reporter	$240.00
Walter E. Hadley, Clerk Per Diem for Attending Court, Admittance for Patients to State Institutions and Change of Venue Claims	174.00
John W. Buckingham	8.00
Marshall D. Abrams, Special Judge	50.00
Ernest Bell, Bailiff	136.00
Thad Ryner, Jury Commissioner	3.00
Harry Thomson, Jury Commissioner	3.00
Hendricks County Republican	35.00
PETIT JURORS:	
Ray Stevenson	29.70
Anson Kellems	35.20
Henry L. Gentry	33.00
Everett Robinson	35.20
Albert Gable	26.40
Enos Hutchens	3.50
Ralph Pepper	35.10
Donald Lawson	24.80
Isaac Schenck	45.10
James Kibby	18.00
Jessie M. Lowe	21.00
Ora Groover	42.90
Walter Bulion	36.30
Gayland Good	30.80
Ed Misch	35.20
Noble Buchanan	33.60
Frank Alexander	3.50
Robert L. Worrell	15.60
Paul Martin	18.00
G. T. White	3.50
Houseman Cafe 65 meals @ 50¢	32.50
Cates Cafe 39 meals @ 50¢	19.50
Rhodes Cafe 26 lunches @ 25¢	6.50
GRAND JURORS:	
John Shelton	11.60
Mary Eunice Swain	14.40
Cyrus Stanley	16.00
Oscar English	10.80
Hezzie Maston	16.00
Claude Worrell	12.40
T O T A L	$ 1,315.10

Saturday, December 20th, 1941, and the 42nd day of the November Term, 1941.

APPOINTMENT OF JURY COMMISSIONERS

FOR NEXT CALENDAR YEAR.

In compliance with the law (Section 4-3301 Burns Indiana Statutes 1933), I, Horace L. Hanna, Judge of the Hendricks Circuit Court, State of Indiana, do hereby appoint Harry G. Thomson, a resident of Danville, Indiana, and Thad Ryner a resident of Marion Township, Indiana, Jury Commissioners for the next calendar year; said persons being freeholders and voters of the county and well known to be of opposite politics, and of good character for intelligence, morality and integrity, and the Clerk of the 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 20th day of December, 1941.

Horace L. Hanna
Judge Hendricks Circuit Court.

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 January Term, 1941, of said court.

And court adjourned until court in course,

Records read and signed in open court.

Horace L. Hanna, Judge.

VACATION

BE IT REMEMBERED: That on the 23rd day of December, 1941, the same being in Vacation of the Hendricks Circuit Court, before the Honorable C. C. Gillen, Special Judge thereof, the following proceedings were had herein, viz:

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY)

Comes now C. C. Gillen, herein, and qualifies as Special Judge and assumes jurisdiction, which oath is in the words and figures following, to-wit:

The State of Indiana, County of Hendricks, Sct:

I, C. C. Gillen, 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 Charles P. Tyre against City of Lebanon, so help me God.

C. C. Gillen

Subscribed and sworn to this 23 day of Dec., 1941, before me, Clerk of said Court.

(SEAL) Walter E. Hadley, Clerk.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 29th day of December, 1941, 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, 1942.

BE IT REMEMBERED, That on the 29th day of December, 1941, Thad J. Ryner and Harry G. Thomson, 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, 1942, of this court, viz:

1.	Ella Summers	Clay	Township
2.	Cecil Martin	Liberty	"
3.	Harold Garner	Lincoln	"
4.	Joe Hardin	Guilford	"
5.	J. A. Hawkins	Washington	"
6.	Walter Rader	Lincoln	"

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, 1942, of this court, viz:

1. Milton Hess	Center	Twp.	13. Leon Bayliss	Liberty	Twp.
2. Chester Garner	Lincoln	"	14. Merrill Givins	Franklin	"
3. Frank V. Hadley	Center	"	15. John W. Edwards	Center	"
4. Frank Owens	Guilford	"	16. John Fritsche	Marion	"
5. Maurice Price	Washington	"	17. Helen Chadd	Center	"
6. Lena Goodwin	Marion	"	18. James Vaughn	Franklin	"
7. Ed Hubbard	Liberty	"	19. William McCammack	Clay	"
8. Stella Walls	Clay	"	20. Susan Cook	Center	"
9. Ralph Blanton	Middle	"	21. F. Brewer Hadley	Center	"
10. Orian Merritt	Washington	"	22. Frank Guthrie	Center	"
11. Thaddeus Bridges	Clay	"	23. Donald Parsons	Liberty	"
12. Alfreda Strickler	Lincoln	"	24. Walter Ramsey	Marion	"

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 31st day of December, 1941, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

FLORA YOUNG)
VS) # 16545
UNITED TAXI CO., ETC.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 2nd day of January, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

GEORGIANA TRESTER)
VS) # 16549
JAMES EMERSON,)
RED CAB INC.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 3rd day of January, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

IRVING COHEN)
VS) # 16550
JOHN ROBERTS)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

Monday Morning, January 5th, 1942.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the January Term, 1942, 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 5th day of January, 1942, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
George W. Hadley, Prosecuting Attorney,
Wiltsie J. Stuart, Sheriff,
Walter E. Hadley, Clerk.

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

HERMAN JONES)
VS) # 16293
INDIANAPOLIS BREWING CO., INC.)

Come now the parties, and the Court sustains motion for change of venue from the county, heretofore filed, and the parties now agree to venue said cause to Montgomery County, Indiana.

This cause is now ordered venued to Montgomery Circuit Court, and ten days are given to perfect said change.

MARY E. MARTIN)
VS) 16520
EMERALD MARTIN)
SADIE MARTIN)

Come now the defendants, Emerald Martin and Sadie Martin, and file separate and several demurrer to plaintiff's complaint, which separate and several demurrer is in the words and figures following, to-wit: (H.I.).

WILLIAM E. HUSTON)
VS) # 16491
CHARLOTTE C. HUSTON)

Comes now the defendant, and files answer to complaint, which answer is in the words and figures following, to-wit: (H.I.).

ROBERT W. FRANKFORTH)
VS) # 16526
GEORGE FREDRICKS)

Come now the defendant, by counsel, and files request for trial by jury, which request is in the words and figures following, to-wit: (H.I.).

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM ASSN., INC.)

Come now the defendants, by counsel, and file motion to make complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

ULYSSES S. LESH, ET AL.)
VS) # 16424
TOM R. ROBERTS, ET AL.)

Come now the plaintiffs, by counsel, and file 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.).

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.

Come now the cross-complainants, by counsel, and file motion to dismiss the cross-complaint, the costs on dismissal having heretofore been paid, 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 premises, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that the crpss-complaint be and the same is hereby dismissed.

HOMER SELCH)
EMMA SELCH)
VS) # 16534
W. C. LOCKE (WHOSE CHRISTIAN)
NAME IS UNKNOWN))
MILDRED P. LOCKE)

Come now the plaintiffs, by counsel, and file 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.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

ARTHUR L. MYRLAND)
VS) # 16108
MOUNT E. FRANTZ)

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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

LOIS OWENS)
VS) # 16543 ENTRY
ALTON OWENS)

Comes now the plaintiff and files her verified petition, praying for an order requiring the defendant to pay to her a sum of money for support of herself and baby, which is of the following words and figures, to wit: (H.I.). The court having read said petition and being duly advised, notice is waived, and Court now sets the same for hearing on the 8th day of January, 1942, at 1:00 A. M. o'clock.

ANSON S. THOMAS)
VS) # 16495
LAWRENCE APPLEGATE)
OSCAR MANN)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

HORTON OIL COMPANY)
VS) #15681 JUDGMENT DECREE Judgt. vs Deft., Robert Armstrong, for $138.75 and Costs. J. D. 18, Page 245
ROBERT ARMSTRONG)

Comes now the plaintiff by their attorneys and it appearing to the satisfaction of the court by the summons herein and by return of the sheriff's endorsement thereon, which summons and return are of the following words and figures, to-wit: (H.I.).

That the defendant has been duly notified and served with process for more than ten (10) days before the day fixed by the plaintiff, by endorsement on their complaint, for the defendant to appear and answer said complaint, said defendant is three times loudly called in open court but comes not and herein makes default.

The court having heard the evidence and being duly advised in the premises finds for the plaintiff, that the allegations of their complaint are true: That there is due said plaintiff from the defendant on the account sued upon the sum of $116.36, plus interest at six (6) per cent, since October 8, 1937: That the interest is $22.39, making total amount due said plaintiff $138.75.

It is, therefore, considered and adjudged by the court that the plaintiff recover of the defendant the sum of $138.75, together with costs and charges in their behalf laid out and expended.

EDWARD E. THOMAS) Judgt. vs Pltf. & Cross-Deft., Edward E. Thomas, for $400.00 Alimony, $5.00 Per Week Support, Additional Sum of $10.00 for Pltf's. Atty. and Costs. J. D. 18, Page 246.
VS) # 16340
RUTH THOMAS) DECREE

Comes now the parties, the plaintiff and cross defendant by Otis E. Gulley his attorney and the defendant and cross complainant by A. J. Kahl, her attorney and this cause being at issue, and it appearing that more than 60 days has elapsed since the issuing of the summons upon the defendant which was duly served, is submitted to the court for trial, finding and decree. And the court having heretofore heard all the

evidence in the case and now heard the argument of counsel duly advised now finds for the defendant and cross complainant on her cross complaint and that the allegations of her cross complaint are true and that she is entitled to a decree of divorce from the plaintiff and cross defendant on the grounds therein alleged. The court further finds that the defendant and cross complainant is a suitable and proper person to have the care, custody, and control of the child named in cross complaint, to-wit: Carol Ann Thomas and that the defendant and cross plaintiff is entitled to alimony in the sum of Four Hundred ($400.00) Dollars and to an allowance for the maintenance and support of said child in the sum of Five ($5.00) Dollars per week and the additional sum of Ten ($10.00) Dollars as the fee for her attorney.

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

It is further considered and adjudged by the court that the defendant and cross complainant have and recover of and from plaintiff and cross defendant the sum of Four Hundred ($400.00) Dollars alimony together with interest thereon as it may accrue and that said judgment for alimony be payable at the rate of Fifteen ($15.00) Dollars per month beginning February 1, 1942.

It is further considered and ordered by the court that the defendant and cross complainant have the care, custody and control of the child to-wit: Carol Ann Thomas age 2 years until the further order of this court. It is further ordered that the plaintiff and cross defendant pay to the defendant and cross-complainant the sum of Five ($5.00) Dollars per week for the support and maintenance of said child. It is further order by the court that the plaintiff and cross defendant pay to plaintiff's attorney an additional sum of Ten ($10.00) Dollars as fees for the defendant and cross complainant's attorney in this case.

It is further considered and adjudged by the court that the defendant and cross complainant recover her cost and charges paid, laid out and expended all of which are finally ordered adjudged and decreed by the 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 6th, 1942.

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

STATE OF INDIANA)
VS) # 8207
JOSEPH TAGERT)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person and by his attorney, John A. Kendall, and said defendant now in open court waives arraignment and enters his plea of not guilty.

Bond is fixed at $500.00, as fixed on warrant.

WILLIAM E. HUSTON)
VS) # 16491
CHARLOTTE C. HUSTON)

Come now the parties, 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 cause is continued to 10:00 o'clock A. M., January 7th, 1942.

CARRIE GLASS)
VS) # 16505.
WILLIAM F. GLASS) E N T R Y

This case is now called for trial and both parties being in court in person and by their attorneys, the same is now submitted to the court and court having heard the evidence, argument of counsel and being fully advised in the premises, now finds for the plaintiff, Carrie Glass, and that the allegations of her complaint are true, and further finds that said plaintiff is entitled to a divorce from said defendant; the court further finds that the minor child, aged about two and a half years, and named William D. Glass, shall be placed in the custody of Mrs. Emma Herrmann, the mother of this plaintiff and the grandmother of said child; the court further finds that said defendant, William F. Glass, the father of said child, is entitled to see said child at all reasonable times during the week and shall have the custody of said child over the week-end of every other week for the present, until the further order of this court.

It is therefore ordered, considered and adjudged that an absolute divorce is hereby granted to said plaintiff, Carrie Glass, from said defendant, William F. Glass, and the custody of said minor child, William D. Glass, is now given by this court to Mrs. Emma Herrmann, mother of the plaintiff herein and grandmother of said child, until the further order of this court.

It is further ordered that said defendant, William F. Glass, shall be permitted to see said child at all reasonable times during the week and have the custody of said child every other week-end until the further order of this court, the first week-end period to begin January 10th and 11th, 1942, and every other week-end thereafter, until the further order of this court, said week-end period to be understood as including Saturday and Sunday.

It is further ordered that the defendant shall pay the sum of $8.00 per week to the Clerk of the Marion Circuit Court in Indianapolis, Indiana, for the care and custody of said minor child, the first payment to be made on January 10, 1942.

It is further ordered that said defendant pay to Robert I. Marsh, attorney for said plaintiff, the sum of $75.00, as an attorney fee, within ten days from this date, and that the costs of this action are hereby assessed against said defendant.

Dated this 6th day of
January, 1942

GENEVA McNICHOLL)
VS) # 16494
ADOLPH SCHRAM)

Comes now the plaintiff 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

HELEN CAMPBELL)
VS) # 16503
ADOLPH SCHRAM)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

MEREDITH E. OSBORNE)
VS) # 16446
ALFRED T. McCLAIN)
RITA McCLAIN)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

WILLIAM SUMMERS)
VS) # 16447
ALFRED T. McCLAIN)
RITA McCLAIN)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

NETTIE OSBORNE)
VS) # 16448
ALFRED T. McCLAIN)
RITA McCLAIN)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

ORONA SUMMERS)
VS) # 16449
ALFRED T. McCLAIN)
RITA McCLAIN)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs 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. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, January 7th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

WILLIAM E. HUSTON)
VS) # 16491
CHARLOTTE C. HUSTON) Decree

Come now the parties herein, William E. Huston, in person, and by counsel Robert I. Marsh, and the defendant Charlotte C. Huston, in person and by counsel Bess Robbins and Virgil Sears, and this cause be at issue upon the complaint for divorce filed by plaintiff and the answer filed by the defendant, is now submitted to the court for finding and decree;

And the court having heard the evidence and being fully advised in the premises, now finds that the plaintiff herein is not entitled to a divorce as prayed for in his complaint, and further finds that the plaintiff should pay the sum of $75.00 as additional counsel fees for defendants' attorneys.

It is therefore ordered and decreed by this court that divorce be denied plaintiff, divorce denied, finding for defendant on plaintiff's complaint, and plaintiff is ordered to pay into the hands of the Clerk of this Court the sum of $37.50 within 30 days and the sum of $37.50 within 45 days for the use and benefit of defendants' counsel herein Virgil Sears and Bess Robbins, Costs versus plaintiff.

Dated this 7th day of January 1942.

STATE OF INDIANA)
VS) # 8209
ARTHUR FREDERICK)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Arthur Frederick, in his own proper person, and said defendant is duly arraigned in open Court and said defendant pleads not guilty of operating vehicle while under the influence of intoxicating liquor.

The Court sets bond at $500.00.

THIESING VENEER CO. AN)
INDIANA CORPORATION)
VS) # 16337
FRANK TROTTER)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM)
ASSN., INC.)

The Court being duly advised, now overrules defendants motion to make complaint herein more specific, to which ruling of the Court the defendants separately and severally object and except.

The defendants are ruled to answer complaint herein on or before January 19th, 1942.

JESSIE A. COX)
VS) # 16300 Judgt. vs Deft. for $1.00 Per Week.
Judgt. vs Pltf. for Costs.
HARLEY A. COX) J. D. 18, Page 246.

Comes now the defendant and files written statement showing that J. Creighton Ball is his attorney and that said Ball will appear for him, which written statement is in the words and figures following, to-wit: (H.I.).

Comes now J. Creighton Ball, Attorney at this Bar, and enters his appearance for the defendant herein, and files answer in general denial to plaintiff's complaint herein, which answer is in the words and figures following, 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.

Evidence is heard, and the Court finds for the plaintiff and that the allegations of plaintiff's complaint are true, that the plaintiff is entitled to an absolute divorce from the defendant and that she is entitled to the custody and care of Harley Austin Cox, Jr., whose age is four years in June, 1942. That the defendant should pay to plaintiff for the care of said child, one dollar per week, beginning January 17th, 1942, said payments to be made to the Clerk of this Court, and paid by said Clerk to the plaintiff herein, all at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that an absolute divorce is hereby granted to said plaintiff, Jessie A. Cox, from said defendant, Harley A. Cox, and the custody and care of Harley Austin Cox, Jr., whose age is four years in June, 1942, be granted to the plaintiff, Jessie A. Cox.

It is further considered, ordered and adjudged by the Court that the defendant, Harley A. Cox, pay to the plaintiff for the care of said child, one dollar per week, beginning January 17th, 1942, said payments to be made to the Clerk of this Court, and paid by said Clerk to the plaintiff, Jessie A. Cox, herein, all at the cost of the plaintiff, taxed at _____dollars and _____cents.

APPOINTMENT OF COURT BAILIFF

In compliance with the law (Section 4-3107 Burns) (Acts 1935), I, Horace L. Hanna, Judge of the Hendricks Circuit Court, State of Indiana, do hereby appoint Ernest E. Bell, a resident of Brownsburg, Indiana, Bailiff, and, when necessary, riding bailiff for the Hendricks Circuit Court, for the year 1942. The pay of said bailiff to be paid in monthly installments and shall be $75.00 per month, and shall be paid out of the appropriation made for pay of bailiff.

Dated this 7th day of January, 1942.

Horace L. Hanna

Judge Hendricks Circuit Court

OATH

State of Indiana, County of Hendricks, SS:

I, Ernest E. Bell, being duly sworn on my oath, say that I will support the Constitution of the United States, the Constitution of the State of Indiana, and will honestly and faithfully perform my duties as Bailiff of the Hendricks Circuit Court, so help me God.

Ernest E Bell

Subscribed and sworn to before me, this 7th day of January, 1942.

(SEAL)

Walter E. Hadley

Clerk Hendricks Circuit 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, January 8th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

GLENN B. THARP AND)
ALMA THARP, ETC.)
VS) # 15976
REGINALD COX)

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

INDIANAPOLIS LUMBER COMPANY)
VS) # 16223
FLOYD D. WILLIAMS AND)
OLLIE D. WILLIAMS, ET AL.)

Comes now the plaintiff, and moves the Court to dismiss this cause as to the defendant, First Ban-Credit Company.

The Court being duly advised, now sustains said motion, and this cause is dismissed as to the First Ban-Credit Company.

On motion of plaintiff, the defendants, Indiana Gravel Company, Advance Block and Material Company and Danner and Company, are each called in court and herein wholly makes default.

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 of plaintiff is heard and completed, and at the completion of the plaintiff's evidence, the defendants, Floyd D. Williams and Ollie D. Williams move the Court to find for the defendants Floyd D. Williams and Ollie D. Williams. The Court being duly advised, now overrules said motion, to which ruling of the Court the defendants, Floyd D. Williams and Ollie D. Williams object and except.

Evidence is continued and completed, argument is hand, and the Court takes matter under advisement.

DELLA MAE WARD)
VS) # 16502
RALPH E. WARD)

Comes now the plaintiff, and shows to the Court the notice and proof of publication of notice to non-resident defendant, Ralph E. Ward.

The Court having seen and examined same, now finds that said defendant has been duly notified of the pendency of this cause, as provided by law, to appear herein on December 19th, 1941. On motion of the plaintiff, said defendant is now three times loudly called in open Court and comes not and herein wholly makes default.

Cause 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 matter under advisement.

MARION GINN, ADMINISTRATOR DE BONIS)
NON OF THE ESTATE OF JOSEPHINE)
RATLIFF, DECEASED.)
VS) # 16506 INTERLOCUTORY
JACKSON RATLIFF, CLARENCE RATLIFF) DECREE
ROBERT RATLIFF, PERCY RATLIFF and)
RUTH O'BRIEN)

Comes now the plaintiff in person, and by counsel John A. Kendall, and it appearing to the satisfaction of the Court by the notice and proof of the publication thereof, which are as follows, (H.I.) that the defendants JACKSON RATLIFF AND RUTH O'BRIEN have been duly notified of the pendency of this action by three successive publications of said notice in the Hendricks County Republican, a newspaper of general circulation, printed and published in the English language at Danville, Indiana, in Hendricks County, the last of which publications was made more than thirty days before the day fixed by the plaintiff, by indorsement on his complaint, for said defendants to appear and answer said comlaint filed by said plaintiff. The said defendants Clarence Ratliff, Robert Ratliff and Percy Ratliff, file their separate and severall waiverr of the issue and service of summons in said cause, and give their consent for the sale of said real estate as prayed for, which waiver and consent are of the following words and figures, to wit: (H.I.) That said defendants Jackson Ratliff and Ruth O'Brien failing to appear, they are three times loudly called in open court, but come not and make default herein, where upon said cause is submitted to the Court for hearing, trial and decree, without the intervention of a jury.

The court having heard the evidence and being duly advised in the premises, finds that the parties hereto in this action are the owners of the real estate described in the plaintiff complaint, and have interest therin as follows:

1. That the plaintiff's decedent Josephine Ratliff, who is a widow of Charles W. Ratliff, also deceased was the owner of an undivided 1/3 interest in said real estate.

2. That the said defendants Jackson Ratliff, Clarence Ratliff, Robert Ratliff, Percy Ratliff and Ruth O'Brien are the owners in fee simple of the remaining 2/3 interest in said real estate, they being the sole and only heirs at law of the said Josephine Ratliff and Charles W. Ratliff, and that all of the debts, expenses of the said Charles W. Ratliff are paid.

3. That the 1/3 interest of Josephine Ratliff is liable to sale to pay the debts of her said estate, but that the remaining 2/3 interest is not liable for any debts and expenses of the said Josephine Ratliff.

4. That the parties are entitled to have said real estate sold by a commissioner appointed herein, and the proceeds divided as above stated, to wit: 1/3 of the proceeds after payment of the expenses to Marion Ginn, Administrator of the estate of Josephine Ratliff, and that the proceeds from the sale of the remaining 2/3 interest after payment of expenses be divided share and share alike between each of the defendants in this cause.

IT IS, THEREFORE, CONSIDERED, ADJUDGED AND DECREED by the Court, that said real estate, to wit: "Lots number 12 and 28 in the original party of New Elizabeth now Lizton in Hendricks County, Indiana" be appraised, as provided by law, and sold at private sale, by giving notice thereof by one insertion in a

news paper printed and published in Hendricks County Indiana, said notice to be published one week before date of sale, and by posting at least five notice thereon in Union Township where said real estate is located, and for cash, and for not less than the appraised value thereof, and that oot of the proceeds of said sale, that the cost be paid first, and that thé balance be paid as follows, 1/3 thereof to Marion Ginn, Administrator of the estate of Josephine Ratliff, and the remaining 2/3 thereof be divided in equal parts between the defendants Jackson Ratliff, Clarence Ratliff, Robert Ratliff, Percy Ratliff and Ruth O'Brien, they being the sole heirs of both Josephine Ratliff and Charles W. Ratliff.

It is further considered and adjudged that Paul Blake be and he is hereby appointed Commissioner to make sale of said real estate, and that he give bond in the sum of $1500.00, with surety to the approved of this court, and that said commissioner be allowed a fee as a part of the cost herein.

It is further considered and adjudged that on the sale of said real estate, said Commissioner issue a certificate of purchase to said purchaser, until the full purchase price is paid in full and when the full price is received, then said commissioner is authorized to deliver a Commissioners deed to said purchaser.

STATE OF INDIANA)
VS) # 8209 Judgt. vs Deft. for $10.00 Fine & Costs.
ARTHUR FREDERICK) J. D. 18, Page 246.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Arthur Frederick, in his own proper person, and said defendant now asks to withdraw his plea of not guilty and now enters his plea of guilty of operating vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that said defendant, Arthur Frederick, 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.

It is further adjudged by the Court that said defendant, Arthur Frederick, shall be and he is sentenced to the Indiana Penal Farm for thirty days. The Court now suspends the sentence to the Indiana Penal Farm on the condition that said defendant behaves well and pays the damages sustained by Harvey Hessler to his car in the accident caused by this defendant. Should said defendant not pay said damages within thirty days from this date, the suspension of this sentence herein shall be revoked and said defendant shall be committed to the Indiana Penal Farm as herein provided.

Said defendant's operator's license should be and is suspended for thirty days.

AGNES KENNINGTON)
VS) # 16556
JOHN H. KENNINGTON)

Comes now the Clerk of the Marion Circuit Court, and files transcript and four papers on change of venue from Marion Circuit Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 9th, 1942.

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

RAYMOND RUSE,
ARTHUR McGLOTHLIN,
ARTHUR McGLOTHLIN
GUARDIAN FOR
KENNETH McGLOTHLIN
VS # 16075
GEORGE E. RUSE
ELVA RUSE
HENRY BRUNES

Comes now Constant V. Abeele, and presents to the Judge of this Court, his Bill of Exceptions No. 1, for his signature, and prays that he sign, seal and make it a part of the record in this cause, which Bill of Exceptions No. 1 is now on this 9th day of January, 1942, allowed, signed, sealed and ordered by said Judge of the Hendricks Circuit Court, to be and constitute a part of the record of this cause, and the Clerk is ordered to file the same as a part of the record thereof.

SOUTHERN JUNIOR COLLEGE, A CORP.)
VS)#16472
HOWARD C. GAMMON)
501 BLUE RIDGE)

The Court being duly advised, now overrules defendant's demurrer to plaintiff's complaint, to which ruling of the Court the defendant objects and accepts.

The defendant is ruled to answer complaint herein on or before January 17th, 1942.

STATE OF INDIANA, EX REL,)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

The Court being duly advised now overrules defendants' demurrer to plaintiffs second amended complaint herein, to which ruling of the Court the defendants separately and severally object and except.

The defendants are ruled to answer complaint herein on or before January 14th, 1942.

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 10th, 1942.

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, January 12th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

LENA D. COMER)
VS) # 16459
SAMUEL E. BLIZZARD)
GLENNA E. BLIZZARD)

Comes now Donald R. French, attorney for plaintiff herein, and files request to withdraw his appearance herein for the plaintiff.

The Court being duly advised, now grants said request, and Donald R. French's appearance herein for the plaintiff is withdrawn.

PETIT JURY EMPANELLED FOR THE JANUARY TERM, 1942.

The Clerk is ordered to issue venire for the above named petit jurors on Tuesday, January 13th, 1942, 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, January 13th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ROBERT W. FRANKFORTH)
VS) # 16526 Judgt. vs Pltf. for Costs.
GEORGE FREDRICKS) J. D. 18, Page 2

This cause having been previously set for trial on this date, and all parties duly notified that same would be tried on this date, and the jury having been called and placed in jury box for trial by jury, and said cause duly reached on the calendar in its regular order, is now duly called for trial, and the plaintiff failing to appear, is now three times loudly called in open Court and comes not and herein wholly makes default, and this cause 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, Robert W. Frankforth, is ordered to 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, January 14th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA, EX REL,)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Come now the defendants, by counsel, and file separate and several answer to second amended complaint, which separate and several answer to second amended complaint is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA, ON THE)
RELATION OF LUTHER F. SYMONS,)
BANK COMMISSIONER OF INDIANA)
VS) # 13635 ORDER
HUNTER BANK)

Charles B. Davison, Receiver of the Hunter Bank, having filed his verified petition praying therein for an order authorizing him to pay the dividend in the name of Chlora Brown Dayton Brown, as a result of their having a deposit in said bank at the time of its closing of said bank, to Evah Canary and the Board of Trustees of the Brownsburg Christian Church, which verified petition is of the following words and figures, to-wit: (H.I.).

The court having read said petition together with the petitioners exhibit "a" and having been duly advised therein now finds that said dividend should be divided and paid as prayed for in said petition.

It is, therefore, considered, and ordered by the court that said Receiver herein pay the final dividend of said bank which is in the name of Dayton Brown and Chlora Brown to Evah Canary and the Board of Trustees of the Brownsburg Christian Church, share and share alike and in equal proportions thereto.

OLLIE PIERSOL, ET AL.)
VS) # 16412
FRANK E. HAYS, EXECUTOR, ETC.)

The Court being duly advised, now sustains the motion of the defendant to reject and strike from the files the complaint herein, as all of the matters alleged in said complaint are matters which are now properly before the Probate Court of this county for adjudication in said court, to which ruling of the Court the plaintiff separately and severally object and except.

JOHNS MANVILLE CREDIT CORPORATION)
VS) # 15671
VERN LA RUE SEATON)

Come now the parties and the Court being duly advised now sustains motion to dismiss the petitioner's verified petition for writ of Error Coram Nobis, to which ruling of the Court defendant objects and excepts.

Wednesday, January 14th, 1942, and the 9th day of the January Term, 1942.

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE CO.,)
ETC., ET AL.)

Come now the parties, and the Court being duly advised, now overrules defendants' separate and several demurrer to plaintiff's third amended complaint, to which ruling of the Court the defendants separately and severally object and except.

The defendants are ruled to answer third amended complaint on or before January 22nd, 1942.

AUBREY WALTON, by his next)
friend, William Walton)
V) NO. 16,559 Judgt. vs Deft. for $100.00 & Costs.
FRANK A. HANNA) ENTRY OF FINAL JUDGMENT J. D. 18, Page 247.

Come now the parties and this cause being at issue, it is now submitted to the court for trial and judgment without the intervention of a jury.

Evidence is now heard and the court being duly advised, finds that all allegations of the plaintiff's complaint are true and plaintiff is entitled to recover from defendant in the sum of $100.00.

IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED by the court that plaintiff recover of and from the defendant the sum of $100.00 and his costs taxed in this action in the sum of $6.50.

Upon the payment of this judgment to the Clerk of this Court, the Clerk is directed to pay said $100.00 to Aubrey Walton, plaintiff, and to take proper receipt therefor.

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

Thursday, January 15th, 1942, and the 10th day of the January Term, 1942.

Thursday Morning, January 15th, 1942.

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

CHARLES P. TYRE.)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY.)

Comes now the defendant, by counsel, and moves to set aside rulings of Court on all motions heretofore filed, and for leave to file additional motions to strike out complaint, to make complaint more specific and to separate causes of action.

C. C. Gillen
C. C. Gillen, Special Judge.

PENSION FUND OF DISCIPLES)
OF CHRIST)
VS) # 16249
CHARLES F. TUCKER, ET AL.)

All defendants, except only Helen C. Tucker, are ruled to answer complaint herein on or before January 24th, 1942.

CATHERINE LITTRELL BEATTY)
VS) # 16402
INDIANAPOLIS LODGE NO. 17,)
LOYAL ORDER OF MOOSE)

The Court being duly advised, now overrules defendant's demurrer to plaintiff's complaint, heretofore filed, to which ruling of the Court the defendants object and except.

The defendant is ruled to answer complaint herein on or before January 26th, 1942.

STATE OF INDIANA)
VS) # 8178
HARRY V. SMITH)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi this cause, which motion is in the words and figures following, to-wit: (H.I.).

Motion is read aloud in open Court, 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 court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace R. Hanna, Judge.

Friday Morning, January 16th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

HADLEY HAWORTH)
VS) # 16452
ERVIN SHORT)

The defendant is ruled to answer complaint herein on or before January 20th, 1942.

E. K. CHADWICK)
VS) # 15789
ISAAC SCHENK)
ISAAC J. SCHENK)

Come now the parties, and the Court being duly advised, now sustains defendant's separate demurrer to paragraph one of plaintiff's complaint, to which ruling of the Court the plaintiff objects and excepts.

The Court sustains defendant's separate demurrer to paragraph two of plaintiff's complaint, to which ruling of the Court the plaintiff objects and excepts.

The Court sustains defendant's separate demurrer to paragraph three of plaintiff's complaint, to which ruling of the Court the plaintiff objects and excepts.

HOME LUMBER COMPANY)
VS) # 16277
CHARLES F. TUCKER)
HELEN CLAIR TUCKER)
BERNICE SHIRLEY)

Comes now the defendant, Bernice Shirley, by counsel, and files motion to dismiss this cause, which motion is in the words and figures following, to-wit: (H.I.).

LOWELL HUGHES)
VS) # 16540
FREEDA FERN HUGHES)

Comes now the defendant, and files cross-complaint, which cross-complaint is in the words and figures following, to-wit: (H.I.).

Said defendant also files verified petition for maintenance, support and attorney's fees, which verified petition is in the words and figures following, to-wit: (H.I.), and the same is set for hearing January 23rd, 1942, at 9:00 o'clock A. M.

LOIS OWENS) Judgt. vs Deft. for $3.00 Per Week & $25.00 Atty. Fee.
VS) # 16543 J. D. 18, Page 248.
ALTON OWENS) ORDER FOR PAYMENT OF SUPPORT MONEY

Comes now the plaintiff in person and by her attorney John A. Kendall, and comes now the defendant in person and by his attorney A. J. Kahl, and it appearing to the satisfaction of the court that the defendant has acknowledged service of the notice of the plaintiffs petition filed herein asking for support money and attorney fees which waiver is of the following words and figures, to-wit: (H.I.).

Court having heard the evidence and being duly advised finds that the plaintiff is entitled to the care, custody and control of said child named in said complaint and that said defendant should pay to her the sum of $3.00 per week for the care and support of said child pending final decree herein, the first payment to be paid direct to said plaintiff on the 17th day of January 1942, and each week thereafter: That said defendant should pay to John A. Kendall, plaintiff's attorney, the sum of $25.00.

It is therefore considered and adjudged and ordered by this court that said defendant pay to the plaintiff herein the sum of $3.00 per week for the care and support of said child named in said petition, the first payment to be paid on January 17th, 1942, and each week thereafter until further order of this court, said payments to be made direct to said plaintiff and said defendant is ordered to pay this plaintiff's attorney John A. Kendall, the sum of $25.00 on or before March 15th, 1942.

HALLIE HENBY)
VS) # 16563
DANIEL CORSARO)

Comes now the Clerk of the Marion Circuit Court, and files transcript and papers on change of venue from the Marion Circuit Court, which transcript and papers are 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 L. Hanna, Judge.

Saturday Morning, January 17th, 1942.

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

EDNA GILES, ADMINISTRATRIX OF)
THE ESTATE OF WILLIAM T. BRANSON)
VS) # 16544
PENNSYLVANIA RAILROAD CO., ET AL.)

The defendant is ruled to answer complaint herein on or before January 30th, 1942.

SOUTHERN JUNIOR COLLEGE, A CORP.)
VS) 16472
HOWARD C. GAMMON,)
501 BLUE RIDGE)

Comes now the defendant, by counsel, and files answer in two paragraphs, which answer is in the words and figures following, to-wit: (H.I.).

BEULAH CUMMINGS)
VS) # 16013
INERCLEAN MANUFACTURING CO., ET AL.)

Comes now the plaintiff, by counsel, and the Court being duly advised, now sustains the demurrer of the defendant, Hook Drugs Inc., to plaintiff's second amended complaint, (denominated First Amended Company), to which ruling of the Court the plaintiff objects and excepts.

The Court also being duly advised, now overrules plaintiff's demurrer to defendant's, Interclean Manufacturing Company, answer to abatement, to which ruling of the Court the plaintiff objects and excepts.

ALVA L. LONG)
VS) # 16266
CHARLES F. TUCKER, ET AL.)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

HOMER SHORT)
VS) # 15900 Judgt. vs Pltf. for Costs.
HOMER KENNEDY) J. D. 18, Page 248.

Comes now the plaintiff, 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.).

The Court having seen and examined said motion and being sufficiently advised in its premises, 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, Homer Short, is ordered to 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, January 19th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ALMA DALE)
VS) # 16566
WILLIAM I. DALE)

Comes now the plaintiff, by counsel, and files affidavit for publication of notice to non-resident defendant, which affidavit is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said affidavit for publication of notice to non-resident defendant, now orders notice published as by law provided to defendant, said notice to be returnable March 21st, 1942.

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM ASSN., INC.)

Come now the defendants, and file answer to paragraph one and paragraph two of plaintiff's complaint, which answer is in the words and figures following, to-wit: (H.I.).

JOSEPH E. HARDIN)
VS) # 16343
BERT SOUDER)
CHARLES S. RAUH)

Plaintiff is ruled to reply to defendants' special answer on or before January 29th, 1942.

ARTHUR MASTEN)
VS) # 16535
WILLIS MASTEN)

Comes now the plaintiff, and requests the Court for order to issue alias summons to the Sheriff of Lawrence County, Indiana, to be served on the defendant herein, returnable February 2nd, 1942.

The Court being duly advised, now grants said request, and summons is ordered issued as requested.

DELLA MAE WARD)
VS) # 16502 DECREE OF DIVORCE
RALPH E. WARD)

Judgt. vs Deft. for $3.00 Per Week,
Judgt. vs Pltf. for Costs.
J. D. 18, Page 248.

Comes now the plaintiff in person and by her attorney John A. Kendall, and it appearing to the satisfaction of the court by the proof of publication of the notice to the defendant Ralph E. Ward, filed in this cause, which notice and proof of publication are as follows, to-wit: (H.I.). That the defendant Ralph E. Ward has been duly notified of the filing and pendency of this action by three (3) successive weekly publications in the Hendricks County Republican, a weekly newspaper of general circulation, printed and published in the English language in Danville, Hendricks County,

Indiana, the last of which publications was made more than thirty (30) days before the day fixed by the plaintiff, by endorsement on said notice and complaint for said defendant to appear and answer said complaint. Said defendant failing to appear, he is three times loudly called in open court, but comes not and herein makes default, whereupon George W. Hadley, Prosecuting Attorney of the 55th Judicial Circuit, State of Indiana, enters his appearance for said defendant.

Whereupon said cause is submitted to the court for hearing, trial and decree.

The court having heard the evidence and being duly advised finds for the plaintiff and that she is entitled to a decree of divorce from the defendant and that she is entitled to have her maiden name of Della Mae Witt restored to her.

That there has been born to said plaintiff and defendant one child Patricia Anne Ward who is now 3 years of age, That said plaintiff is entitled to the custody of said child and that the defendant should pay $3.00 per week for the support of said child. That said defendant is not in military service.

It is, therefore, considered, adjudged and decreed by the court that the plaintiff herein be granted an absolute divorce from said defendant, that she be given the permanent care, custody and control of Patricia Ann Ward a child 3 years of age and that the defendant pay to the Clerk of the Hendricks Circuit Court the sum of $3.00 per week, the same to be paid out to the plaintiff herein for the care and support of said infant child, all at the cost of the plaintiff, which costs are paid.

HOME OWNERS' LOAN CORPORATION)
VS) # 16236 ORDER ON RECEIVER'S FINAL REPORT.
WILLIAM M. SEARS, ET AL.)

Comes now Lee Buechler, receiver, in the above entitled cause and files his following verified report (H.I.) in which it is disclosed that he collected the total sum of Eighty Two and 14/100 (82.14)Dollars as rent and that he has paid out Sixty Two and 50/1-- ($62.50) Dollars in the execution of said trust, leaving a balance in his hands in the sum of Nineteen and 64/100 ($19.64) Dollars which he has paid into the Clerk of the Hendricks Circuit Court. The court having examined said report and being fully advised in the same now approves said report and hereby orders and directs the Clerk of the Hendricks Circuit Court to pay the above amount together with the sum of $47.98 paid to the Clerk of this court by the Sheriff of Hendricks County as an amount received by said Sheriff from the sale of the real estate involved over and above the judgment of the plaintiff and its cost, to the Hendricks County Department of Public Welfare to be applied upon their judgment which was rendered in this proceeding.

Receiver discharged from his bond and trust.

(For receipt of Hendricks County Department of Public Welfare, see F. B.26-Page 86.)

ROBERT S. WRIGHT)
VS) # 16567
CLARA WRIGHT)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers 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, January 20th, 1942.

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

EVERETT D. LONG)
VS) # 16539
EDWIN BROWNING)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

DON J. GOOD)
VS)
H.C. BROADSTREET,) # 16442
ETC.)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA)
VS) # 16242 ORDER APPROVING RECEIVER'S FINAL REPORT.
BURRELL C. CHASTAIN)
HELEN CHASTAIN)
WILLIAM ROBBINS)

Comes now Claude W. Gladden and files his verified final report as Receiver in the above entitled cause, showing therein the amount of charges and also the credits which are due him, which final report is of the following words and figures, to-wit: (H.I.).

The Court having read said final report and being duly advised therein now finds the same to be true and correct; that the principal amount of the mortgage foreclosed in said action was $9,000.00. And that said Company has as plaintiff herein expended for interest the sum of approximately $479.34; for taxes for the year 1939 paid in November 1940, $114.60; for abstract continuation $8.25; that the attorney fee allowed by the court on said foreclosure decree was $400.00; and that said plaintiff has expended the sum of $88.50 for court costs; that the interest from the date of foreclosure to the date of sale, which was January 17th, 1942, at 8%, was $910.24, making a total of $2,093.00, for which said plaintiff is entitled to credit as expenses of said loan. That all the money coming to the hands of said Receiver has been duly accounted for and that said real estate described in plaintiff's complaint herein has been sold upon order of court and that the balance remaining in said Receivers hands is $456.39,

which is the property of the Prudential Insurance Company of America and that said report should be approved and Receiver discharged.

It is, therefore, considered, adjudged and decreed by the Court that said final report is true and correct and that the same is thereby approved and Receiver discharged and released from said trust.

STATE OF INDIANA, EX.REL.)
FRANK JARRELL)
VS) # 16569
JOHN SINCLAIR, ET AL)

Comes now the Clerk of the Putnam Circuit Court and files transcript and papers on Change of Venue from Putnam Circuit Court, which transcript and papers are 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, January 21st, 1942.

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

HADLEY HAWORTH)
VS) # 16452
ELVIN SHORT)

Comes now the defendant, and files answer to complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

RICHARD KIRKHAM)
VS)# 16570
UNITED TAXI COMPANY, INC.,)
ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 22nd, 1942.

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

JOHN F. JOHNSON)
VS) # 16547
WILLIAM J. JONES, ET AL.)

All defendants are ruled to answer complaint herein on or before February 3rd, 1942.

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE CO.,)
ETC., ET AL.)

Come now the defendants, by counsel, and file answer to plaintiff's third amended complaint, denying the facts alleged in each rhetorical paragraph thereof, which answer is in the words and figures following, to-wit: (H.I.).

Defendant, Used Car Finance Company, Inc., files counter-claim and set off to plaintiff's third amended complaint, which counter-claim and set off is in the following words and figures, to-wit: (H.I.).

ALVA T. EDMONSON)
VS) # 16334 Judgt. vs Pltf. for Costs.
W. D. KIBLER TRUCKING CO.) J. D. 18, Page 249.

Comes now the plaintiff, and moves the Court to dismiss this cause at the cost of the plaintiff.

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, Alva T. Edmonson, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

HADLEY HAWORTH)
VS) # 16452 Judgt. vs Deft. for $50.00 and costs.
ERVIN SHORT) DECREE J. D. 18, Page 249.

Comes now the parties, the plaintiff by Kahl & Gibbs, his attorneys and the defendant by Charles E. Edwards his attorney and this cause now being at issue is now 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 for the plaintiff and that the material allegations of his complaint are true and that the plaintiff is entitled to receover of and from the defendant damages in the sum of Fifty ($50.00) Dollars together with his costs in this action.

It is therefore considered, ordered and adjudged by the court that the plaintiff recover of and from the defendant the sum of Fifty ($50.00) Dollars in damages and the costs of this action taxed at $_____.

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 23rd, 1942.

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

CLAUDE THOMPSON)
VS) # 16065
CITY OF INDIANAPOLIS, ET AL.)

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

EVALINE STACKHOUSE)
VS) # 16380 Judgt. vs Pltf. for Costs.
INDIANAPOLIS RAILWAYS, CO.) J. D. 18, Page 249.

The Court now renders judgment on the verdict of the jury.

It is considered and adjudged by the Court that the plaintiff take nothing on his complaint herein.

It is further considered and adjudged that the defendant recover his costs laid out and expended herein in the sum of _____dollars and _____cents.

LOWELL HUGHES)
VS) # 16540
FREIDA FERN HUGHES)

Come now the parties, and the verified petition for maintenance and support pending litigation and attorneys fees is now submitted to the Court.

Evidence is heard, and the Court finds that the plaintiff should pay to the cross-complainant the sum of($2.50) two and 50/100 dollars per week, first payment to be made January 31st, 1942, and $2.50 on each Saturday thereafter.

Plaintiff is also ordered to pay $25.00 to cross-complainant for John T. Hume, her attorney, within thirty days from this date.

It is, therefore, ordered by the Court that the plaintiff pay $2.50 per week to the cross-complainant, Freida Fern Hughes, first payment to be made on the 31st day of January, 1942, and $2.50 on each Saturday thereafter.

THE FEDERAL LAND BANK OF)
LOUISVILLE)
VS) # 16546
VIRGIL V. RUNNELS, ET AL.)

Come now the plaintiffs, by counsel, and file request for an alias summons, which request is in the words and figures following, to-wit: (H.I.).

The Court being duly advised, now orders alias summons issued for the defendants, The Peoples Church, Incorporated and The International Harvester Company, to the Sheriff of Marion County, Indiana, returnable February 9th, 1942.

IVA CROUCH)
VS) # 16499 Judgt. vs Deft. for $8.00 Per Week and Costs.
GEORGE CROUCH) DIVORCE DECREE J. D. 18, Page 249.

Comes now the plaintiff in person and by her attorney John A. Kendall and

comes also the defendant in person and by his attorney John T. Hume, 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 process for more than ten days before the date fixed by the plaintiff, by endorsement on her complaint for the defendant to appear and answer said complaint. Said defendant having filed his answer, which answer is of the following words and figures, to-wit: (H.I.). Whereupon said cause is submitted to the court for hearing, trial and decree.

And the court having heard the evidence and being duly advised in the premises now finds for the plaintiff, that contents of her complaint are true and correct and that said plaintiff should be granted an absolute divorce from said defendant; That she is entitled to the custody of Virginia Crouch, age eleven (11) and that said defendant should pay to the Clerk of the Hendricks Circuit Court the sum of $8.00 per week, payable every two (2) weeks for the support of said child and that the Clerk should repay to said plaintiff herein the money: And that the defendant should have reasonable visiting privileges with said child at the plaintiff's home.

It is, therefore, considered, adjudged and decreed by the court that the plaintiff be and is hereby granted an absolute divorce from said defendant: That she is hereby given the complete custody of Virginia Crouch: That said defendant pay to the Clerk of the Hendricks Circuit Court the sum of $8.00 per week for the support of said child said payments to be made on the 24th and 5th day of each and every month hereafter, the first payment to be made January 24, 1942, and the Clerk of said Court is hereby directed to pay out said money to said plaintiff herein and that said defendant have reasonable visiting privileges with said child at the plaintiff's home. All at the cost of the defendant and costs are paid. Plaintiff to receive all household goods.

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 24th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

EDGAR M. BLESSING)
VS) # 16427
BERTHA LOCKHART CHRISTIE)

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

VIDA B. MUIR)
VS) # 16571
JOHN MILLER)

Comes now the Clerk and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, 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, January 26th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 8210
ROBERT WOOLRIDGE)
JESSE HONEY)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendants, Robert Woolridge and Jessie Honey, in their own proper persons, and said defendants are duly arraigned in open Court and each pleads guilty of grand larceny.

The Court withholds judgment at this time, and orders the defendants to be returned to jail.

DORA M. PARSON)
VS) # 16572
CARL PRESSLER)

Comes now the Clerk of the Morgan Circuit Court, and files transcript and papers on change of venue from the Morgan Circuit Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

OLLIE PIERSOL, ET AL.)
VS) # 16412 Judgt. vs Pltfs. for Costs.
FRANK E. HAYS, EXECUTOR, ETC.) J. D. 18, Page 250.

Come now the parties, and the Court renders judgment striking out and rejecting the complaint herein.

It is, therefore, adjudged by the Court that the complaint herein be stricken out and rejected from the files of this cause, all at the cost of the plaintiffs, Ollie Piersol, Ed Piersol, Harry Piersol and Carrie Klinehantz, taxed at _____dollars and _____cents.

Come now the plaintiffs, and tender to the Court their Bill of Exceptions and pray that the same may be signed, sealed and made a part of the record of this cause, which is accordingly done this 26th day of January, 1942.

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 27th, 1942.

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

CATHERINE LITTRELL BEATTY)
VS) # 16402
INDIANAPOLIS LODGE NO. 17,)
LOYAL ORDER OF MOOSE)

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

MARION GINN, Administrator De)
Bonis Non of the Estate of)
Josephine Ratliff Deceased)
VS) # 16506
JACKSON RATLIFF)
CLARENCE RATLIFF)
ROBERT RATLIFF)
PERCY RATLIFF)
RUTH O'BRIEN)

Comes now the parties and comes now Paul Blake, Commissioner heretofore appointed and files his verified report of the sale of real estate described therein and in this proceedings ordered sold, which verified report is of the following words and figure, to-wit: (H.I.), from which it appears and the court so finds that after giving notice of said sale by publishing in a newspaper printed and published in Hendricks County, Indiana, and by posting notice thereof as provided for in the order herein issued and having same duly appraised as was also required by order of this court authorizing such sale, said commissioner sold the same at private sale to Clyde H. Linton and Myrtle Linton, husband and wife, for the sum of $856.00, that being the highest and best bid received and more than the appraised value thereof: That said purchasers have complied with the order of sale and have paid to this commissioner the cash purchase price, which cash the commissioner now bring into court. And the court being sufficiently advised in the premises now finds that said sale was held in accordance with the order heretofore made and that the purchase price has been paid and the court now in all things approves said report and ratifies and confirms said sale: And said deed is submitted to the court by the commissioner herein and the court now approves said deed in open court and orders the same delivered.

The court further orders and directs said commissioner, after payment of all proper costs and allowances to therefore, without delay, distribute the cash proceeds of said sale as heretofore ordered in the interlocatory decree and upon said distribution as therein described being made, said commissioner is required to make due report thereof to this court and file therewith proper vouchers and evidence of such payments. And this cause is continued for report of said commissioner.

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 28th, 1942.

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

STATE OF INDIANA)
VS) # 8210 Judgt. vs Each Deft. for Costs.
ROBERT WOOLRIDGE) J. D. 18, Page 250.
JESSE HONEY)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and come also the defendants, Robert Woolridge and Jesse Honey, in their own proper persons, and the Court being duly advised, now renders judgment on the plea of guilty herein.

It is, therefore, adjudged by the Court that said defendants for the offense by each of them committed, (grand larceny), shall each be imprisoned in the Indiana Reformatory for not less than one year nor more than ten years, and shall be defranchised and rendered incapable of holding any office of trust or profit for one year, and shall pay the costs of this action, taxed at _____dollars and _____cents. The Court finds the age of Robert Woolridge to be twenty-four years, and the age of Jesse Honey to be twenty-two years.

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY.)

Comes now the defendant, by counsel, and argument of counsel for defendant is heard on motion to set aside former rulings of the Court.

Counsel for the plaintiff not appearing, ruling on motion to set aside former rulings is held in abeyance to give counsel for plaintiff further opportunity to be heard if they so desire.

C. C. Cillen
C. C. Cillen, Special Judge.

ANDREW DOBBS)
VS) # 16511
WALTER STRICKLER)

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

EDYTHE M. COSHOW)
VS) # 15924
WILLIAM F. COSHOW)

Comes now the plaintiff, and files verified petition to modify decree relative to support and custody of minor children, which petition is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said petition, now orders notice issued to the Sheriff of Hendricks County, Indiana, to be served on the defendant herein,

said notice to be returnable February 14th, 1942, at 9:00 o'clock A. M.

State of Indiana : Hendricks Circuit Court
: SS:
Hendricks County : January Term, 1942

Ollie Piersol,
Ed Piersol
Harry Piersol
Carrie Klinehantz

vs No. 16412

Frank E. Hays, as executor of the last will and testament of Oliver M. Piersol, deceased.

Precipe for Transcript for Appeal.

TO THE CLERK OF THE HENDRICKS CIRCUIT COURT:

Please prepare and properly certify for appeal to the Appellate Court of Indiana a full, true and complete transcript of all the papers, pleadings and record entries on file in your office, including the final judgment, in the above entitled cause.

Ira M Sharp
Attorney for Plaintiffs.

HERMA A. BECK)
VS) # 16191 Judgt. vs Deft. for $103.00 and Costs.
O. C. LAAKMAN) J. D. 18, Page 250.

Comes now the plaintiff, and shows to the Court the summons and the return thereon issued to the Sheriff of Hendricks County, Indiana, and served on the defendant, O. C. Laakman, herein, which summons and return thereon is in the following words and figures, to-wit: (H.I.). The Court examining same finds that said defendant has been duly served with process more than ten days before the 21st day of October, 1940, at which time said cause was made returnable by endorsement on plaintiff's complaint herein, and now on motion of the plaintiff, said defendant is now three times loudly called in open court and comes not and herein wholly makes default.

On motion of the plaintiff, said cause is now submitted to the Court for trial, finding and judgment, without the intervention of a jury.

Evidence is heard, and the Court finds for the plaintiff and that the allegations of plaintiff's complaint are true and that the defendant, O. C. Laakman, is one and the same person as Otto Caesar Laakman, and that there is due and unpaid the plaintiff, Herma A. Beck, from the defendant, Otto Caesar Laakman, on the account sued on herein, the sum of $85.00, and that said account is long past due and that the plaintiff is entitled to interest thereon in the sum of $18.00, or a total of $103.00, and to his costs laid out and expended herein.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff recover of and from the defendant, Otto Caesar Laakman, on the account sued on herein, in principal and interest, the total sum of $103.00, together with the costs of this action, taxed at _____dollars and _____cents.

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAILROAD CO.,)
ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 29th, 1942.

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

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) # 16397
THE PENNSYLVANIA RAILROAD)
COMPANY.)

Comes now the plaintiff, and said plaintiff having been granted a request to amend their complaint by interlining, the defendant now request that the demurrer previously filed in the above case before plaintiffs amended their complaint by interlineation, be withdrawn. The Court being duly advised, now grants said request, and demurrer is withdrawn.

Comes now the defendant, and files demurrer to amended complaint herein, which demurrer is in the words and figures following, to-wit: (H.I.).

EDGAR M. BLESSING)
VS) # 16427
BERTHA LOCKHART CHRISTIE)

Come now the parties, and the Court sustains the motion for change of venue from this cause, heretofore filed, and the parties agree that said cause shall be venued to Putnam County, Indiana.

It is, therefore, ordered that said cause be venued to Putnam Circuit Court, and ten days are given to perfect said change.

J. O. REEVES)
VS) # 16295 Judgt. vs Deft. for Costs.
HERBERT JACKSON) J. D. 18, Page 250.

Comes now the plaintiff, in person and by counsel, and shows to the Court the summons and return thereon issued to the Sheriff of Hendricks County, Indiana, and served on the defendant herein, which summons and return thereon are 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 more than ten days before the 15th day of February, 1941, which day was fixed by endorsement on plaintiff's complaint when said cause would be returnable and which endorsement was duly signed by plaintiff's attorney. Now on motion, said defendant, Herbert Jackson, is three times loudly called in open Court and comes not and herein wholly makes default.

This cause is now submitted to the Court for trial, finding and judgment without the intervention of a jury.

Evidence is heard, and the Court finds for the plaintiff, and that the only sum due from the defendant is costs only of this action, in the sum of _____ dollars and _____cents.

It is, therefore, considered, ordered and adjudged by the Court that the defendant, Herbert Jackson, pay the costs of this action, taxed at _____ dollars and _____cents.

THE PHILIP CAREY COMPANY,)
a corporation, etc.)
VS) # 16577
EVERETT A. CARSON, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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

Horace R. Hanna, Judge.

Friday Morning, January 30th, 1942.

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

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL)
RAILROAD CO., ET AL.)

The defendants are ruled to answer plaintiff's interrogatories numbered one to sixty-three, both inclusive, on or before February 9th, 1942.

The defendants also ruled to answer complaint herein on or before February 9th, 1942.

NORTHERN ILLINOIS FINANCE)
CORPORATION)
VS Plaintiffs,) # 16527 Judgt. vs Defts. for $175.00 & Costs.
CURTIS E. PHILLIPS,) ENTRY J. D. 18, Page 251.
ADA PHILLIPS.)
Defendants.)

Comes now the plaintiff by Harold R. Woodard and George W. Hadley, its attorneys, and shows to the Court by the Sheriff's return to the alias summons issued in this cause, which alias summons and the return of the Sheriff endorsed thereon are in the words and figures following, towit:

(H.I.)

that the defendants and each of them have been duly served with such summons more than ten (10) days before the first day of the January, 1942 Term, and more than ten (10) days before the return day fixed by plaintiff in its praecipe for alias summons.

And said defendants and each of them failing to appear and answer the complaint herein, are each now three times audibly called in open court and come not but wholly make default.

And this cause is now on motion of plaintiff submitted to the court for trial, finding, judgment and decree, without the intervention of a jury, on the default of the defendants and each of them herein.

And the Court being duly advised in the premises and hearing the evidence and argument of counsel, finds for the plaintiff on its complaint and that the allegations thereof are true; that there is due to the plaintiff from the defendants and each of them on the note sued on the sum of $175.00; and that said sum due plaintiff is secured by the chattel mortgage upon the goods and property described in plaintiff's complaint; and that the chattel mortgage described in the complaint herein ought to be foreclosed upon the goods therein described.

IT IS THEREFORE, ADJUDGED AND DECREED by the Court that the plaintiff Northern Illinois Finance Corporation recover of the defendants Curtis E. Phillips and Ada Phillips and each of them, the sum of $175.00, together with its costs in this action laid out, expended and taxed at $_____.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that plaintiff's chattel mortgage be foreclosed and that the goods and property therein

described as follows, towit:

1 Plymouth Sedan, 1935, Factory No. 2432543, Engine No. PJ59536A; 1 Majestic Radio; 1 velour davenport; 1 leather rocker; 1 wicker rocker; 1 overstuffed rocker; 1 9x12 American oriental rug; 1 metal bed springs and mattress; 1 maple dresser; 1 kerosene gas range; 1 kitchen table; 4 kitchen chairs; 1 utility cabinet; 1 Singer sewing machine; 1 Hoover vacuum cleaner,

or so much thereof as may be necessary for that purpose, be sold by the Sheriff of Hendricks County, Indiana, as personal property is sold on execution; the proceeds arising from said sale to be applied as follows, towit: First, to the payment of the costs and accruing costs herein; 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 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 thereunto lawfully entitled and authorized to receive the same.

In the event said mortgaged goods 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 on the other goods and chattels, lands and tenements of the defendants and each of them that are subject to execution.

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 31st, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

JOHN F. JOHNSON)
VS) # 16547
WILLIAM J. JONES, ET AL.)

Comes now the defendant, The Prudential Insurance Company of America, and files answer to complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

AGNES KENNINGTON)
VS) # 16556 Judgt. vs Deft. for Costs.
JOHN H. KENNINGTON) J. D. 18, Page 251.

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

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 the Court finds for the plaintiff and that the allegations of her complaint herein are true, that she is entitled to an absolute divorce from the defendant, that the plaintiff is also entitled to have her maiden name, Agnes Ray, restored to her, and to her costs laid out and expended herein. (All property adjustments have been made between the parties.)

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony existing between the plaintiff, Agnes Kennington, and the defendant, John H. Kennington, herein be, and they are hereby forever dissolved, and that the plaintiff is hereby granted a divorce from the defendant.

It is further considered, ordered and adjudged by the Court that the plaintiff is entitled to have her maiden name, Agnes Ray, restored to her, and that the defendant, John H. Kennington, pay the costs of this action, taxed at _____ dollars and _____cents, (All property adjustments have been made between the parties.)

HELEN CLAIRE TUCKER, BY)
RICHARD HOBAN, HER NEXT FRIEND)
VS) # 16188
CHARLES F. TUCKER)

Comes now the plaintiff, and shows the Court that the plaintiff, Helen Claire Tucker, attained the age of twenty-one years on the 2nd day of September, 1941, and she now requests the Court to continue the case in her own name without a next friend. The Court being duly advised, now grants said request, and this cause is continued in the name of Helen Claire Tucker, without next friend.

Comes now the plaintiff, and shows to the Court the notice and proof of publication thereof, to the non-resident defendant herein, and which notice and proof of publication thereof is in the following words and figures, to-wit: (H.I.), and the Court examining same, finds that said defendant, Charles F. Tucker, has been duly notified of the pendancy of this cause, and that same would be heard on the

19th day of November, 1940, as by law provided. On motion of the plaintiff, the defendant is now three times loudly called in open court and comes not and herein wholly makes default.

Comes now George W. Hadley, Prosecuting Attorney, and enters his appearance herein for said defendant, and files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

And this cause being at issue, is submitted to the Court without the intervening 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 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 between plaintiff and defendant herein be, and they are hereby dissolved and that plaintiff is hereby granted an absolute divorce from defendant.

It is further considered and adjudged that the plaintiff's maiden name of Helen Claire Gatewood be, and the same is hereby restored.

It is further considered and adjudged that it shall not be lawful for the plaintiff to marry again until the expiration of two years from this date.

It is further considered and adjudged that the plaintiff pay the costs herein.

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 2nd, 1942.

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

PATTON PARK, INCORP.)
VS) # 16388
MAX POLLAK, ET AL.)

Come now the defendants, and file third paragraph of answer to plaintiff's complaint herein, which third paragraph of answer is in the words and figures following, to-wit: (H.I.).

JOHN F. JOHNSON)
VS) # 16547
WILLIAM J. JONES, ET AL.)

Comes now the defendant, and files request for extention of time to answer complaint herein, which request is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said request, now grants the same, and the defendant, Jones, is ruled to answer complaint herein on or before February 10th, 1942.

SOUTHERN JUNIOR COLLEGE, A CORP.)
VS) # 16472
HOWARD C. GAMMON)

Comes now the defendant, and files motion and affidavit for change of venue from Hendricks County, Indiana, which motion is in the words and figures following, to-wit: (H.I.).

JOSEPH E. HARDIN)
VS) # 16343
BERT SOUDER)
CHARLES S. RAUH)

Comes now the plaintiff and files reply to rhetorical paragraph three of the answer of the defendant, Bert Souder, which reply is in the following words and figures, to-wit: (H.I.).

The plaintiff also files reply to rhetorical paragraphs 7, 8, 9 and 10 of the answer of the defendant, Charles S. Rauh, which reply is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 8170
ERNEST L. ELLETT)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Ernest L. Ellett, in his own proper person, and the Court being duly advised, now fixes the amount to be paid each week by said defendant for the support and maintenance of his wife and children, the age of said children being twenty-two months and six months, respectively; and the former order of the Court herein is

amended and fixed as follows:

The defendant, Ernest L. Ellett, is now ordered to pay into the Clerk's Office of this Court on February 7th, 1942, the sum of $15.00 for the maintenance and support of said wife and children, and $15.00 on each Saturday thereafter, said sums so paid into the Clerk's Office shall be paid by him to Grace Evelyn Ellett, wife of said defendant. The defendant shall have the right to call and see said children every other Sunday, beginning Sunday, February 8th, 1942, between the hours of 1:00 o'clock P. M. and 5:00 o'clock P. M., ordered accordingly until further order of this Court.

SOUTHERN JUNIOR COLLEGE, A CORP.)
VS) # 16472
HOWARD C. GAMMON)
501 BLUE RIDGE)

Oral argument is had on demurrer, and the Court being duly advised in the premises, now overrules defendant's separate and several demurrer to plaintiff's or relator's reply to which ruling of the Court the defendants separately and severally object and except.

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 3rd, 1942.

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

NASH ENGINEERING CO.,)
A CORPORATION, ETC.)
VS) # 16579
MARCY REALTY CORP. INC.,)
A CORPORATION ETC., ET AL.))

Comes now the Clerk of the Marion Superior Court, and files transcript and eighteen papers on change of venue from the Marion Superior Court, which transcript and papers are 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, February 4th, 1942.

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

ORVAL E. HAAFF)
VS) # 15644
MELVIN O. STUART)

Comes now the plaintiff, and asks leave to amend the complaint herein and to make Arlo Stuart a party defendant to this cause.

The Court being duly advised, now grants said request, and Arlo Stuart is made a party defendant.

MARIE HARDIN)
VS) # 16562 DECREE QUIETING TITLE
PAULINE DICKERSON)
EARL DICKERSON)

Comes now the plaintiff and by her attorneys Frank Symmes and John A. Kendall, and it appearing to the satisfaction of the court by the summons herein and the return of the Sheriff endorsed thereon, which summons and return are in the words and figures following, to-wit: (H.I.). That the defendats and each of them have been duly serviced with process for more than ten days before the day fixed by the plaintiff, by endorsement on her complaint, for the defendants and each of them to appear and answer said complaint. Said defendants failing to appear and the return date having more than elapsed, said defendants are three times loudly called in open court but come not and herein wholly make default.

Whereupon said cause is submitted to the court forhearing, trial and decree and the court having heard the evidence and being advised in the premises finds that the plaintiff is the owner in fee simple of the real estate described in the complaint: That the defendants claim an interest therein adverse to the plaintiff: That their claim is without right and unfounded, and that plaintiff is entitled to have her title quieted.

It is, therefore, considered and adjudged by the court that the plaintiff is the owner in fee simple of the real estate described in the plaintiff's complaint, to-wit:

> A part of the West half of the North-east quarter of the North-West quarter of Section 17, Township 17 North, Range 2 East, bounded and described as follows, to-wit: -Beginning at the South-west corner of said half quarter quarter Section, and running thence East 40 rods; thence North 30 rods; thence West 20 rods; thence North 20 rods; thence West 20 rods; thence South 50 rods; to the place of beginning, containing 10 acres, more or less; also,
>
> A part of the aforesaid half quarter quarter Section bounded and described as follows, to-wit:-Beginning at a point in the West line of said half quarter quarter Section, which is 269 feet South of the Northwest corner thereof, and running thence South along said West line, a distance of 226 feet; thence East 330 feet; thence South 330 feet; thence East 330 feet; and to the East line of said half quarter quarter; thence North along said East line 374 feet to the center of the Indianapolis and LaFayette Gravel Road as formerly located; thence North-West along the center of said Road as formerly located 529.6 feet to a point which is distant 166.5 feet South-eastwardly from where the center line of said road as formerly located intersects the North line of said Section 17; thence South-west 304 feet more or less to the place of beginning, excepting from the last described tract, all that land taken from highway purposes in the reconstruction of State Road No. 52.

and that the defendants claim thereto is without right and unfounded and that plaintiff's title thereto be and the same is hereby quieted, and said defendants interest forever barred. All at the cost of the plaintiff.

JOSEPH O. POLLEY)
VS) # 16581
THE NEW YORK CENTRAL)
RAILROAD CO., A CORP.,)
ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 5th, 1942.

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

STATE OF INDIANA)
VS) # 8211
CHARLES WOOD, JR.)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and come also the parents of said defendant, and on the prmise of said defendant and of his said parents, that said defendant will appear before this Court at 9:00 o'clock A. M., Saturday, February 7th, 1942, for trial of this cause, or any day thereafter, which this Court may fix for his return, said defendant is allowed to go on his own recognizance, so long as he complies with the order of this Court in this cause.

JOHN P. HOGAN, ET AL.)
VS) # 15812
RUSSELL B. HINE, ET AL.)

It having heretofore been stipulated by the parties that the consolidated cause proceed under the title and number of the cause of James S. Wright vs Russell B. Hine, et al., being No. 15735 of this Court, and an appeal having been taken to the Appellate Court of Indiana, and this cause having been remanded to this Court, with direction to this court to sustain the demurrer to plaintiff's complaint, this Court now sustains the demurrer to plaintiff's complaint, which under the stipulations of parties, applies to both complaints and to all paragraphs thereof of this cause and cause numbered 15735 of this Court.

JAMES S. WRIGHT)
VS) # 15735
RUSSELL B. HINES, ET AL.)

This cause having been remanded to this Court by the Appellate Court of Indiana, with direction to this Court to sustain the demurrer to plaintiff's complaint, this Court now sustains said demurrer, which, under the stipulations of parties applies to both complaints and to all paragraphs thereof of this cause and cause numbered 15,812 of this Court, (John P. Hogan, et al. vs. Russell B. Hines, et al).

ETHEL COX)
VS) # 16391
JOHN E. BYERS, ET AL.)

Come now the parties, and file motion for continuance of the trial date set for this cause to be tried, which motion is in the words and figures following, (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now grants the same, and this cause is continued.

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 6th, 1942.

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

WALDO HADLEY)
VS) # 16548
NAOMI HADLEY)

Comes now the defendant, by counsel, and files request for restoration of former name, which request is in the words and figures following, to-wit: (H.I.).

DELIA MORAN)
VS) # 16082
FRANK PERKINS)
FLORA PERKINS)
HENDRICKS COUNTY WELFARE ASSN.)

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

The Court being sufficiently advised, now sustains said motion, and this cause is dismissed, cost paid.

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

MARION GINN, Administrator De Bonis)
Non for the Estate of Josephine Ratliff,)
Deceased.)
vs) # 16506
JACKSON RATLIFF)
CLARENCE RATLIFF)
ROBERT RATLIFF)
PERCY RATLIFF)
RUTH O'BRIEN)

Comes now Paul Blake, Commissioner herein and files the following as his final report, to-wit: (H.I.), showing that after payment of the costs of this action and allowances made by the court there remained in his hands for distribution the sum of $639.08, which sum, pursuant to the decree in this cause rendered and as evidenced by vouchers filed, he has paid out and distributed as following:

Marion Ginn, Administrator De Bonis Non	$213.03
Clarence Ratliff	85.21
Jackson Ratliff	85.21
Robert Ratliff	85.21
Percy Ratliff	85.21
Ruth O'Brien	85.21

And the court having examined said report and being sufficiently advised now in all things approves and confirms the same and the said Commissioner having accounted for and properly distributed all sums coming to his hands or with which he is charged, and having in all other respects fully executed his said trust he is now by order of court released, and discharged.

The said Clerk of the court is directed that when requested, to pay out the distributive share of Jackson Ratliff and Ruth O'Brien upon receiving their receipts therefor or that of their attorney. And this cause is

adjudged finally disposed of.

BLANCH MAHAN)
VS) # 16129 Judgt. vs Defts. for $480.92 and Costs.
OLIVER P. JONES, ET AL.) J. D. 18, Page 252.

Come now the parties, and the Court being duly advised, finds for the plaintiff, Blanche Mahan, that the allegations of her complaint and her reply to answer herein are true and that said plaintiff is entitled to recover herein from the defendants, Oliver P. Jones, Benton F. Hesler and Arthur McGaughey as damages herein the sum of four hundred dollars, with interest thereon from September 22nd, 1938, at the rate of six per cent per annum or the total sum of Four Hundred Eighty and 92/100 Dollars, and that judgment should be rendered accordingly, together with her costs expended herein.

It is, therefore, considered and adjudged by the Court that the plaintiff, Blanche Mahan, have and recover from the defendants, Oliver P. Jones, Benton F. Hesler and Arthur McGaughey, as damages, the sum of Four Hundred and Eighty and 92/100 Dollars ($480.92), together with her costs laid out and expended herein, at _____ dollars and _____cents.

Recipts in case of Marion Ginn, Admr. De Bonis Non for the Estate of Josephine Ratliff, Dec'd. vs Jackson Ratliff, et al., Cause No. 16506. See page 406.

1._____ Received $85.21 of the Clerk of the Hendricks Circuit Court, my distributive share herein.

_____
(Jackson Ratliff)

2._____ Received $85.21 of the Clerk of the Hendricks Circuit Court, my distributive share herein.

_____
(Ruth O'Brien)

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 7th, 1942.

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

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) # 16397
THE PENNSYLVANIA)
RAILROAD COMPANY)

Comes now the plaintiff, by counsel, and files interrogatories numbered one to thirty-three, both inclusive, and requests a rule for said defendant to answer same, which interrogatories are in the words and figures following, to-wit: (H.I.).

The defendant is ruled to answer plaintiff's interrogatories numbered one to thirty-three, both inclusive, on or before February 21st, 1942.

STATE OF INDIANA)
VS) # 8211 Judgt. vs Deft. for $5.00 Fine & Costs.
CHARLES WOOD, JR.) J. D. 18, Page 252.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant shows to the Court that he has no funds, property or money by which he can employ an attorney, and the Court appoints Charles V. Sears, an attorney at this bar to defendant said defendant.

Cause is now submitted to the Court for trial and judgment, the defendant waiving a jury trial.

Evidence is heard, and the Court finds the defendant guilty of disorderly conduct.

It is, therefore, considered and adjudged by the Court that said defendant 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.

WARREN WEBSTER & CO.,)
a corporation, etc.)
VS) # 16583
MARCY REALTY CORPORATION, INC.,)
a corporation, etc., et al.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, 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, February 9th, 1942.

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

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAILROAD)
CO., ET AL.)

Comes now the defendant, New York Central Railroad Company, by counsel, and files answer to plaintiff's interrogatories numbered one to sixty-three, both inclusive, which answers are in the words and figures following, to-wit: (H.I.).

The defendants also file answer to complaint, which answer is in the words and figures following, to-wit: (H.I.).

MARTHA REEVES)
VS) # 16532
GLENDON REEVES) DIVORCE DECREE

Comes now the plaintiff in person and by her attorneys Russell Dean and John A. Kendall, and comes now the defendant by his attorney Charles V. Sears, and it appearing to the satisfaction of the court by the summons and the return of the Sheriff endorsed thereon, which summons and return are in the following words and figures, to-wit: (H.I.). That the defendant has been duly served with process for more than ten (10) days before the day fixed by the plaintiff on her complaint, for the defendant to appear and answer said complaint.

Said defendant files his answer in the following words and figures, to-wit: (H.I.). Whereupon said cause is submitted to the court for hearing, trial and decree.

The court having heard the evidence and being duly advised in the premises now finds that said plaintiff is entitled to an absolute divorce from said defendant on the grounds alleged in her complaint and that the said plaintiff is entitled to have her maiden name of Martha Wolford restored to her.

It is, therefore, considered, adjudged and decreed by the court that the plaintiff be granted an absolute divorce from said defendant: That the maiden name of Martha Wolford be and the same is hereby restored to said plaintiff. All at the cost of the defendant, which costs are paid.

JOHN F. JOHNSON)
VS) # 16547
WILLIAM J. JONES, ET AL.)

Come now the defendants, William J. Jones and Effie M. Jones, by counsel, and appear specially and file plea in abatement, which plea in abatement is 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, February 10th, 1942.

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

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL)
RAILROAD CO., ET AL.)

Comes now the defendant, Indianapolis Union Railway Company, by counsel, and files objections to plaintiff's interrogatories, which objections are in the words and figures following, to-wit: (H.I.).

DORA M. PARSON)
VS) # 16572
CARL PRESSLER)

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

FLETCHER TRUST COMPANY)
VS) # 16407 Judgt. vs Deft. for $506.77 and Costs.
MABEL M. NEWMAN) J. D. 18, Page 253.

The Court having had this cause under advisement, and now being duly advised, finds for the plaintiff and that the allegations in it's complaint are true, and the Court finds against the defendant on her cross-complaint.

The Court further finds that there is due and unpaid the plaintiff from the defendant on the account sued on herein, the sum of Five Hundred and Six and 77/100 Dollars, together with it's costs laid out and expended herein, and that the plaintiff is entitled to judgment for same.

It is, therefore, considered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Mabel M. Newman, the sum of Five Hundred and Six and 77/100 Dollars, ($506.77), together with it's costs laid out and expended herein, at _____dollars and _____cents.

THOMAS M. REEVES)
VS) # 16531
ETHEL MAE REEVES) DIVORCE DECREE

Comes now the plaintiff in person and by his attorney John A. Kendall, and it appearing to the satisfaction of the court by the proof of publication of the notice filed in this cause, which notice and proof of publication thereof are as follows, to-wit: (H.I.), that the defendant has been duly notified of the pendency of this action by three (3) successive weekly publications in the Hendricks County Republican, a weekly newspaper printed and published in Hendricks County, Indiana, the last of which publications was made more than thirty (30) days before the date fixed by the plaintiff in his affidavit and notice for notice by publication, the same being endorsed thereon for said defendant to appear and answer said complaint, and the said defendant failing to appear, she is now three times loudly called in open court but comes not and therein makes de-

fault, whereupon George W. Hadley, Prosecuting Attorney of Hendricks County, Indiana, enters his appearance for the said defendant. Whereupon said cause is submitted to the court for hearing, finding and decree.

And the court having heard the evidence and being duly advised therein now finds that the plaintiff is entitled to a decree of divorce from said defendant on the grounds alleged in his complaint.

It is, therefore, considered, adjudged and decreed by the court that the plaintiff be granted an absolute divorce from said defendant herein, at the cost of the plaintiff, which costs are paid this 10th day of February 1942.

ARTHUR MASTEN)
VS) # 16535 Judgt. vs Pltf. for Costs.
WILLIS MASTEN) DECREE QUIETING TITLE J. D. 18, Page 253.

Comes now the plaintiff in person and by his attorney John A. Kendall, and it appearing to the satisfaction of the court by the summons and return of the Sheriff thereon endorsed, which summons and return are in the following words and figures, to-wit: (H.I.). That the defendant herein has been duly served with process for more than ten (10) days before the date fixed by the plaintiff by endorsement on his complaint, for the defendant to appear and answer said complaint. Said defendant failing to appear he is three times loudly called in open court, but comes not and herein makes default.

Whereupon said cause is submitted to the court without the intervention of a jury for hearing, trial and decree.

And the court having heard the evidence and being advised in the premises finds that the plaintiff is the owner of the said real estate in fee simple, which real estate is described in the complaint: That the defendant claims an interest therein adverse to the plaintiff: That his claim is without right and unfounded, and that the plaintiff herein is entitled to have his title herein quieted.

It is, therefore, considered, adjudged and decreed by the court that the plaintiff is the owner in fee simple of the real estate described in the plaintiff's complaint, to-wit:

> The East half of the North West quarter of Section eight (8) Township Fourteen (14) North of Range Two (2) West containing Eighty (80) acres more or less, located in Hendricks County, Indiana.

and that the defendants claim thereto is without right and unfounded, and that the plaintiff's title thereto be and the same is hereby quieted.

It is, further considered and adjudged that the plaintiff pay the costs of this action.

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

Wednesday Morning, February 11th, 1942.

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

PENSION FUND OF DISCIPLES)
OF CHRIST)
VS) # 16249
CHARLES F. TUCKER, ET AL.)

Comes now the defendant, Bernice E. Shirley, by counsel, and files separate answer in two paragraphs and cross-complaint, which answer and cross-complaint are in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 16404 Judgt. vs Deft., Edward E. Shufelton,
RALPH HARRIS) ENTRY ON AGREED JUDGMENT for $295.00 and Costs.
EDWARD E. SHUFELTON) J. D. 18, Page 253.

Comes now the State of Indiana by Wesley T. Wilson, Deputy Prosecuting Attorney for the Nineteenth Judicial Circuit of Indiana, and the defendant Edward E. Shufelton by Lawrence A. Shaw, his attorney, and agree in open court that judgment shall be rendered herein for the plaintiff against the defendant Edward E. Shufelton for the sum of two hundred and fifty dollars ($250.00), forty five dollars ($45.00) interest, and the costs of this action, that said defendant shall pay said judgment in installments at the rate of five dollars ($5.00) each Saturday to the clerk of the Marion Circuit Court beginning with the first Saturday after a transcript of said judgment shall be filed with said clerk, and that execution shall not issue on said judgment until said defendant shall default in one or more of said installments.

IT IS THEREFORE ADJUDGED BY THE COURT that pursuant to said agreement, the plaintiff have and recover of the defendant Edward E. Shufelton on plaintiff's complaint herein the sum of two hundred and fifty dollars ($250.00), forty five dollars ($45.00) interest, and the costs of this action taxed at _____dollars. It is further ordered by the court that said judgment shall be payable to the clerk of the Marion Circuit Court in installments of five dollars ($5.00) each Saturday beginning with the first Saturday after a transcript of this judgment shall be filed with said clerk, and that execution shall not issue hereon until said defendant shall be in default on one or more of said installments.

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

Thursday Morning, February 12th, 1942.

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

MINNIE WILSON)
VS) # 16590
ROY WILSON) ORDER

Minnie Wilson having filed her verified petition praying therein for an order, ordering the defendant Roy Wilson to pay support money and attorney pending action, which verified petition is of the following words and figures, to-wit: (H.I.).

Court having been duly advised now sets the same for hearing the 2 day of March 1942, and hereby directs the Clerk of the Hendricks Circuit Court to notify said defendant of the time and place of said hearing.

GEORGIANA TRESTER)
VS) # 16549
JAMES EMERSON, ETC.,)
ET AL.)

Comes now the defendant, Red Cab, Incorporated, and files affidavit and motion for change of venue from Hendricks County, Indiana, which affidavit and motion for change of venue from Hendricks County, Indiana, are in the words and figures following, to-wit: (H.I.).

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 13th, 1942.

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

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL)
RAILROAD CO., ET AL.)

Come now the parties, and oral argument is had on objections of defendant, Indianapolis Union Railway, to Plaintiff's interrogatories, and the Court takes matter under advisement.

WILLIAM A. ENGLES)
VS) # 15928
WILEY DORSETT)

Come now the parties, and argument is had on defendant's motion for new trial, and the Court takes matter under advisement.

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 14th, 1942.

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

FRANCIS LINDSEY, BY LAWRENCE)
DAILEY, HER NEXT FRIEND)
VS) # 16591
UNITED TAXI CO. INC., ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, 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, February 16th, 1942.

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

GLADYS SHEPHERD)
VS) # 15064
HERBERT SHEPHERD)

Comes now the plaintiff, by counsel, and files verified petition for change of custody of child, which petition is in the words and figures following, to-wit; (H.I.). The Court having seen and examined said petition, notice is ordered issued to the Sheriff of Hendricks County, to be served on the defendant, returnable February 21st, 1942, at 9:00 o'clock A. M.

ELMER T. EVERHART)
VS) # 16580
JESSIE ANDERSON, ET AL.)

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

WILLARD ENGLISH)
VS) # 16552
CASSIUS M. BOTTEMA, ET AL.)

Comes now the defendant, Bertha M. Sanders, formerly Bertha M. Sawyer, and files separate answer to complaint, which separate answer is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Bertha M. Sanders, formerly Bertha M. Sawyer, Executrix of the Last Will of John T. Sawyer, Deceased, and files separate answer to complaint herein, which separate answer is in the words and figures following, to-wit: (H.I.).

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL)
RAILROAD CO., ET AL.)

Comes now the defendant, by counsel, and the Court being duly advised, now overrules defendant, Indianapolis Union Railway Company's, objections to answering plaintiff's interrogatories, to which ruling of the Court the defendant, Indianapolis Union Railway Company, objects and excepts.

The defendant, Indianapolis Union Railway Company, is ruled to answer plaintiff's interrogatories on or before February 24th, 1942.

EDYTHE COSHOW)
VS) # 15924
WILLIAM F. COSHOW) DECREE

Comes now the parties in person and by council and the court having heard the evidence and being duly advised in the premises finds that an order heretofore made by this court with reference to the support and custody of the children, to-wit:-Billy

Joan Coshow now age 11 and Shirley Jean Coshow now age 6 should be modified in this to-wit:-That the defendant should pay to the Clerk of the Hendricks Circuit Court for the support of said children the sum of Five ($5.00) Dollars per week at the same time as he has heretofore been making said payments. The court further finds that the order relative to the custody of said children should remain as it is until after the close of the school year but that during the school vacation that the defendant shall be permitted to have the custody of the children for a period of from two to three weeks and at which time the defendant is to transport the children to and from their music and dancing lessons.

It is therefore considered and ordered by the court that the decree heretofore made be modified and that the defendant is ordered to pay to the Clerk of this court for the support of said minor children Five ($5.00) Dollars per week and at the same time as said payments have heretofore been made. It is further ordered that the former decree be modified in that the custody of said children shall remain as fixed by the prior order until the school vacation and at sometime during the school vacation the defendant shall be permitted to have the children for a period of from two to three weeks and that during such period of time the defendant will transport the children to and from the music and dancing lessons that they are now taking. All of which is finally ordered, adjudged and decreed by the court.

STATE OF INDIANA on the	)	
Relation of FRANK JARRELL,	)	
Plaintiff,	)	
VS.	)	NO. 16596 Judgt. vs Defts., Members of County
JOHN SINCLAIR,	)	E N T R Y Council of Putnam County, Indiana, for
ROY HILLIS,	)	$4500.00 and Costs.
GEORGE AKER,	)	J. D. 18, Page 254.
LONNIE STEELE,	)	
GEORGE ENSIGN,	)	
CLARENCE J. FERRAND and	)	
FRED BOATMAN, as Members of	)	
The County Council of Putnam	)	
County, Indiana, and	)	
EDDIE BUIS, as Auditor of Putnam	)	
County, Indiana,	)	
Defendants.	)	

Comes now the Relator, Frank Jarrell, in the above entitled cause, in person and by Fay Hamilton and Kivett & Kivett, his attorneys, and come now the defendants, John Sinclair, Roy Hillis, George Aker, Lonnie Steele, George Ensign, Clarence J. Ferrand and Fred Boatman, as Members of the County Council of Putnam County, Indiana, in person and by John H. James, James P. Hughes, C. C. Gillon, and Matt J. Murphy, their attorneys, and said defendants, as members of said County Council, now file their answer to plaintiff's complaint herein, which said answer is in words and figures as follows: (H.I.).

And comes now the defendant, Eddie Buis, as Auditor of Putnam County, Indiana, in person and files his answer in words and figures as follows: (H.I.)

And this cause now being at issue upon the complaint, and the answers so filed, is by agreement of partis submitted to the court for trial, finding, and decree without the intervention of a jury.

And the court having seen and heard the evidence and being duly advised in the premises now finds for the Relator that the allegations of the complaint are true, and that the Relator is entitled to the relief prayed for in his complaint.

It is therefore ordered, adjudged, and decreed by the court that the Relator, Frank Jarrell, is the duly elected, qualified, and acting County Superintendent of Schools of Putnam County, Indiana, and that his term of office commenced on the sixteenth day of August, 1941, and is for a term of four years, and until his successor is elected and qualified. That on the seventh day of July, 1941, at a regular and legal meeting of the township trustees of Putnam County, Indiana, the salary of said County Superintendent of Schools was by a majority of said trustees fixed at the sum of Forty-five Hundred ($4500.00) Dollars per year. That the resolution fixing said salary was in all things duly and legally adopted by the majority of the trustees of said county, and that said action of the trustees is now in full force, and the salary of said County Superintendent of Schools of Putnam County, Indiana, for the term beginning August 16, 1941, and ending August 16, 1945, is the sum of Forty-five Hundred ($4500.00) Dollars per year. It is further ordered, adjudged and decreed by the court that the relator is entitled to have appropriated from the treasury of Putnam County, Indiana, the sum of Forty-five Hundred ($4500.00) Dollars with which to pay the annual salary of said County Superintendent of Schools as fixed by said action of the trustees as aforesaid, and that the County Council of Putnam County, Indiana, had no right or authority in law to fix or change said salary, and that the action of the County Council of Putnam County, Indiana, in appropriating only the sum of Seventeen Hundred and Sixty ($1760.00) Dollars, with which to pay the salary of said County Superintendent of Schools for one year was without right and not as provided by law; and that said Relator is entitled to have appropriated by said County Council of Putnam County, Indiana, the sum of Twenty-seven Hundred and Forty ($2740.00) Dollars in addition to said Seventeen Hundred and Sixty ($1760.00) Dollars, making the total appropriation for one year's salary of said Relator the total sum of Forty-five Hundred ($4500.00) Dollars.

It is further ordered, adjudged and decreed by the court that said defendants, mumbers of said County Council of Putnam County, Indiana, and each of them be and they are hereby ordered and required, as members of said County Council to meet in special session at the Commissioners' Room in the Court House in Putnam County, Indiana, upon the call of the Auditor of Putnam County, Indiana, and they and there duly organized in special session and while so in session shall appropriate from the County Treasury of Putnam County, Indiana, in addition to the sum of Seventeen Hundred and Sixty ($1760.00) Dollars heretofore appropriated, the further sum of Twenty-seven Hundred and Forty ($2740.00) Dollars, making a total appropriation of Forty-five Hundred ($4500.00) Dollars with which to pay the salary of said County Superintendent of Schools for one year and shall annually thereafter appropriate the sum of Forty-five Hundred ($4500.00) Dollars per year with which to pay said salary during the present term of said Relator.

It is furtherordered and adjudged that the defendant, Edie Buis, as Auditor of Putnam County, Indiana, shall give due notice and call a special meeting of the said County Council of Putnam County, Indiana, to meet at the Commissioners' Room in the court house in Greencastle, Putnam County, Indiana, at 10:00 o'clock A. M. on the 27" day of February, 1942, for the purpose of making an additional appropriation to pay the salary of the County Superintendent of Schools, all pursuant to the order herein made and that the defendants, members of the County Council, shall meet pursuant to said call and shall make said appropriations in all things as in this judgment decreed.

It is further ordered, adjudged, and decreed by the court that the defendants, as members of the County Council of Putnam County, Indiana, shall pay the costs of this action taxed at $_____.

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

Come now again the parties, both plaintiff and defendants, in person and by their respective attorneys, and upon the condition that the defendants waive any and all right to file a motion for a new trial or prosecute an appeal from the judgment heretofore entered or otherwise take any action to change or modify said judgment, the Relator in open court expressly agrees and consents that so long as said County Council appropriates the sum of Thirty-five Hundred ($3500.00) Dollars per year instead of Forty-five Hundred ($4500.00) Dollars with which to pay the annual salary of said County Superintendent as stated in the foregoing judgment, during the present term of this office he will waive the right to demand an appropriation making said salary in excess of said Thirty-five Hundred ($3500.00) Dollars per annum, the same to include deputy hire, assistants, traveling expense, long distance telephone and telegraph expense, also postage stamps, and consents and agrees that an appropriation under this order of Seventeen Hundred and Forty ($1740.00) Dollars in addition to the Seventeen Hundred and Sixty ($1760.00) Dollars heretofore appropriated making a total of Thirty-five Hundred ($3500.00) Dollars for the present year shall be accepted as a full compliance with said order, and that an appropriation of Thirty-five Hundred ($3500.00) Dollars with which to pay his salary for each succeeding year of the present term of said office shall be a full compliance with the foregoing judgment, and will be accepted by him as a full compliance therewith.

And now in open court the defendants expressly waive the right to file any motion for a new trial or prosecute an appeal from said judgment or otherwise take any steps to modify or change said judgment, and the Relator in open court confirms the agreement and waivers as hereinbefore stated.

It is therefore, further ordered, adjudged and decreed by the court that the respective waivers and agreements above made in open court be and the same are accepted by the court and are each and all binding upon the parties hereto and that all matters therein are now binding upon each and all the parties to this action.

ALL OF WHICH IS ORDERED, ADJUDGED, AND DECREED BY THE COURT.

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

Horace R. Hanna, Judge.

Tuesday Morning, February 17th, 1942.

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

FLETCHER JOINT STOCK LAND BANK)
OF INDIANAPOLIS)
VS) # 16582
SILAS H. WILSON, ET AL.)

Comes now the plaintiff, by counsel, and files motion for alias summons to be issued to the Sheriff of Hamilton County, Indiana, said summons to be returnable March 3rd, 1942, and to be served on the defendants herein, 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 premises, now sustains the same, and alias summons is ordered issued accordingly.

ALPHIA WATSON)
VS) # 16593
HAROLD WATSON)

Comes now the plaintiff in the above entitled cause and files her complaint herein for divorce together with an affidavit for a restraining order, restraining the defendant from interferring with and molesting this plaintiff, and her children, and from entering the premises and the home of the plaintiff, which complaint and affidavit for restraining order are in the words and figures as follows, to-wit: (H.I.). And the court having inspected the said complaint and affidavit and being duly advised in the premises finds that a restraining order as prayed for in the complaint and affidavit should issue and that said restraining order should issue without notice until the further order of this court.

It is, therefore, ordered, considered and adjudged by the court that the defendant herein, Harold Watson be, and he is hereby restrained from in any wise interferring with or molesting the person of this plaintiff and her children living with her, and from entering the premises and home now occupied by this plaintiff, all of which is now ordered, adjudged and decreed untilthe further order of this court.

It is further ordered, adjudged and decreed by the court that a copy of this restraining order be served upon the defendant by the Sheriff of Hendricks County, Indiana, and that the Sheriff make his return of service to the Clerk of the Hendricks Circuit Court.

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

Horace R. Hanna, Judge.

Wednesday Morning, February 18th, 1942.

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

ALBERT E. UHL, EXECUTOR OF THE)
ESTATE OF LETHA R. HUBINGER,)
DECEASED.)
VS) # 16324
THE HOME INSURANCE COMPANY)
OF NEW YORK.)

Comes now the plaintiff, by counsel, and requests permission to file amended complaint and tenders amended complaint for filing.

said plaintiff also tenders for filing a motion for change of venue from Judge, and the same is taken under advisement and set for hearing March 3rd, 1942.

Marshall D. Abrams, Special Judge

STATE OF INDIANA)
VS) # 8179
JOHN F. ROBINSON)

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

The Court having seen and examined said affidavit and being sufficiently advised in its premises, now sustains the said motion for continuance, and cause is continued.

WILLIAM A. ENGLES)
VS) # 15928
WILEY DORSETT)

Come now the parties, and the Court being duly advised, now overrules defendant's motion for new trial, to which ruling of the Court the defendant objects and excepts.

Defendant now prays appeal to the Appellate Court of Indiana. The Court being duly advised, now grants said appeal, and the Court fixes appeal bond at $600.00, surety Fidelity and Deposit Company of Maryland. The Court now approves said surety, and sixty days are given to file bond and all bills of exception.

EVALINE STACKHOUSE)
VS) # 16380 On Account of Change of Venue.
INDIANAPOLIS RAILWAYS, 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 Seventy-Five Dollars and Forty Cents ($175.40) in the case of Evaline Stackhouse vs. Indianapolis Railways, 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 sufficient voucher, and authority for so doing.

February 18th, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

HELEN CAMPBELL)
VS) # 16503 On Account of Change of Venue.
ADOLPH SCHRAM)

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. Six Dollars and - - - Cents ($6.00) in the case of Helen Campbell vs. Adolph Schram 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 sufficient voucher, and authority for so doing.

February 18th, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

GENEVA McNICHOLL)
VS) # 16494 On Account of Change of Venue.
ADOLPH SCHRAM)

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. Six Dollars and - - Cents ($6.00) in the case of Geneva McNicholl vs. Adolph Schram 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 sufficient voucher, and authority for so doing.

February 18th, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

STATE OF INDIANA.)
VS) # 16404 On Account of Change of Venue.
RALPH HARRIS)
EDWARD E. SHUFELTON.)

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. Six Dollars and - - - Cents ($6.00) in the case of State of Indiana vs. Ralph Harris & Edward E. Shufelton 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 sufficient voucher, and authority for so doing.

February 18th, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

AGNES KENNINGTON)
VS) # 16556 On Account of Change of Venue.
JOHN H. KENNINGTON)

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. Eleven Dollars and - - - Cents ($11.00) in the case of Agnes Kennington vs. John H. Kennington 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 sufficient voucher, and authority for so doing.

February 18th, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

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 19th, 1942.

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

GEORGIANA TRESTER)
VS) # 16549
JAMES EMERSON, ETC., ET AL.)

Come now the parties, and the Court sustains the defendant's motion for change of venue from Hendricks County, Indiana, heretofore filed.

Parties failing to agree, and being submitted the names of the adjoining counties of Hendricks County, Indiana, now strike, and Boone County remaining, said cause is now ordered venued to Boone County, Indiana, and ten days are given to perfect said change.

STATE OF INDIANA, EX REL)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Comes now the plaintiff, and files reply to defendants' answer, which reply is in the following words and figures, to-wit: (H.I.).

Come now the defendants, and file separate and several demurrer to relator's reply, which demurrer is in the following words and figures, to-wit: (H.I.).

HOLLIE HENEY)
VS) # 16563
DANIEL CORSARO)

Come now the parties, and the Court being duly advised, now overrules defendant's motion to make plaintiff's complaint more specific, to which ruling of the Court the defendant objects and excepts.

The defendant is ruled to answer complaint herein on or before March 2nd, 1942.

BERNICE SPENCER)
VS) # 16441 On Account of Change of Venue.
HERBERT J. STEDFELD)

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. Six Dollars and - - Cents ($6.00) in the case of Bernice Spencer vs. Herbert J. Stedfeld 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 sufficient voucher, and authority for so doing.

February 19th, 1942.

Horace L. Hanna,

Judge 55th Judicial Circuit of Indiana

CARRIE GLASS)
VS) # 16505 On Account of Change of Venue.
WILLIAM T. GLASS)

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 Fifty Cents ($15.50) in the case of carrie Glass vs. William T. Glass 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 sufficient voucher, and authority for so doing.

February 19th, 1942.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

ALICE ELLIS)
VS) # 16426 On Account of Change of Venue.
FRANK ELLIS)

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-Five Dollars and --- Cents ($25.00) in the case of Alice Ellis vs. Frank Ellis 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 sufficient voucher, and authority for so doing.

February 19th, 1942.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

HERMAN JONES)
VS) # 16293 On Account of Change of Venue.
INDIANAPOLIS BREWING 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. Six Dollars and - - -Cents ($6.00) in the case of Herman Jones VS. Indianapolis Brewing 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 sufficient voucher, and authority for so doing.

February 19th, 1942.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

ULYSSES S. LESH, ET AL.)
VS) # 16424 On Account of Change of Venue.
TOM R. ROBERTS, 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 Ulysses S. Lesh, et al. vs Tom R. Roberts, 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 sufficient voucher, and authority for so doing.

February 19th, 1942.

Horace L. Hanna

Judge 55th Judicial 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, February 20th, 1942.

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

THE FARMERS BANK)
FRANKFORT, INDIANA.)
VS) # 16553
ELIZABETH WATSON)
NOBLE T. WATSON)

Comes now the plaintiff, and moves the Court for an order for alias summons to be issued to the Sheriff of Hendricks County, and served on the defendants herein, said summons to be made returnable March 6th, 1942.

The Court being duly advised, now orders alias summons issued to the Sheriff of Hendricks County, for said defendants, said summons returnable March 6th, 1942.

CHARLES E. BOURN)
VS) # 16592
MAMIE E. COOPER, ET AL.)

Come now the defendants, Fred E. Bourn, Ruth A. Elrod, Hattie Neier, Olive Bourn, Nora Stirwalt, James H. Bourn, Iva B. Griggs and Mamie E. Cooper and file answer, showing they are each of lawful age and waive issue of summons or notice and assent to the sale of said real estate for the purposes mentioned in plaintiff's complaint, which answer is in the following words and figures, to-wit: (H.I.).

Come now the defendants, Grace Bayliff and Henry A. Bayliff, her husband, and file answer waiving issue of summons and assenting to sale of real estate as prayed for in said complaint, which answer is in the following words and figures, to-wit: (H.I.).

INDIANAPOLIS LUMBER CO.)
VS) # 16228 Judgt. vs Pltf., Indianapolis Lumber Company, and
FLOYD D. WILLIAMS AND) and Cross-Complainant, Perfection Paint & Color
OLLIE D. WILLIAMS, ET AL.) Company, for Costs. J. D. 18, Page 255.

Come now the parties, and the Court being duly advised, finds for the defendants, Floyd D. Williams and Ollie D. Williams, his wife, and the Court finds against the plaintiff, Indianapolis Lumber Company on its complaint herein. And the Court finds for the defendants, Floyd D. Williams and Ollie D. Williams, his wife, and against the cross-complainant, Perfection Paint and Color Company, a Corporation, and that said defendants, Floyd D. Williams and Ollie D. Williams should recover their costs laid out and expended herein, and that said costs should be against said plaintiff and said cross-complainant.

It is, therefore, considered, ordered and adjudged by the Court that defendants, Floyd D. Williams and Ollie D. Williams, his wife, recover of and from the plaintiff, Indianapolis Lumber Company, and the cross-complainant, Perfection Paint and Color Company, a Corporation, their costs herein, taxed at _____dollars and _____cents.

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) # 16397
THE PENNSYLVANIA)
RAILROAD COMPANY)

Comes now the defendant, and asks for extention of time to answer interrogatories. The Court being duly advised, now grants said request, and the Court extends time to March 7th, 1942.

ANDREW DOBBS)
VS) # 16302
THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA)

Plaintiff is ruled to answer defendant's amended verified plea in abatement on or before March 2nd, 1942.

MINNIE BOURNE)
VS) # 16274
LENA SHARTLE)

Plaintiff is ruled to plead over on or before March 2nd, 1942.

MARY E. MARTIN)
VS) # 16520
EMERAID MARTIN)
SADIE MARTIN)

The Court being duly advised, now overrules defendants, Emerald Martin's and Sadie Martin's separate and several demurrer to plaintiff's complaint, to which ruling of the Court the defendants, Emerald Martin and Sadie Martin, separately and severally object and except.

All defendants are ruled to answer complaint herein on or before March 2nd, 1942.

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 21st, 1942.

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

STATE OF INDIANA, EX REL)
FRANK JARRELL)
VS) # 16569 On Account of Change of Venue.
JOHN SINCLAIR, 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. Fifteen Dollars and Fifty Cents ($15.50) in the case of State of Ind., Ex Rel Frank Jarrell vs. John Sinclair, 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 sufficient voucher, and authority for so doing.

February 21st, 1942. Horace L. Hanna,
Judge 55th Judicial Circuit of Indiana

CHARLES E. BOURN)
PLAINTIFF.)
VS) # 16592 DECREE IN PARTITION ORDERING SALE.
MAMIE E. COOPER, ET AL.,)
DEFENDANTS)

Comes now the Plaintiff herein, by his attorney, Charles E. Edwards, and show to the Court that each and all of the defendants have been notified of said Complaint for Partition and Sale of said real estate described in said Complaint and each and all of said defendants herein file their, Waiver of Summons and Notice, in said action, (Here Insert); and hereby request the Court that a hearing be had in said cause thereof.

And this cause is now submitted to the Court for trial finding, and decree, without the intervention of a jury, and the Court having heard the evidence, and being sufficiently advised in the premises, finds that the parties hereto are the owners of the real estate described in the complaint, in fee simple, as tenants in common and have interests therein as follows: that the plaintiff, Charles E. Bourn, and the defendants, Mamie E. Cooper, James H. Bourn, Ruth A. Elrod, Hattie Neier, Iva B. Hregg, Grace Bayliss, Olive Bourn Nora Stierwalt and Fred E. Bourn, are each the owner of the undivided one-tenth of said real estate.

And the Court finds that all of the material allegations of the plaintiffs complaint are true, and finds that all of said plaintiffs have signed, Waivers of Summons and Notice, and finds that the real estate described in the complaint

can not be divided and the shares of the several parties set off to them in severalty without great damage to said real estate and to the interests of the parties.

It is therefore considered and adjudged by the Court that said real estate, situated in the County of Hendricks, in the State of Indiana, to-wit:-

Part of the East half of the Southwest Quarter of Section 32 Township 15 North, Range 2 West, described and bounded as follows to-wit; Beginning at a point 98¼ rods South and 34 rods West of the center of said Section 32, Township and Range aforesaid and running thence North parallel with said Section line 180 feet, thence West 46 rods to the center of County road, thence South with and along the center line of said road to the North line of the Terre Haute Indianapolis & Eastern Traction Company right of way, thence East along said right of way 46 rods, thence North to the place of beginning, Estimated to contain 11 acres more or less,

be appraised, as provided by law, and that said real estate be sold by a Commissioner appointed by the Court, at private sale, free from liens, at not less than the full appraised value of the same for cash, after giving two weeks notice in the Coatesville Herald, a newspaper of general circulation, printed and published in the English language, in Hendricks County, Indiana, and such other notices as the Commissioner may deem advisable.

And it is further order and adjudged by the Court that out of the proceeds of said sale, the costs of this action and of said sale be first paid and that as a part of said costs, of said sale the commissioner is ordered and directed to have the abstract for said property continued down to date, and make any necessary steps to make said title a merchantable title, and after all other necessary costs and expense of this cause has been paid and satisfied, that the balance be paid to the parties to this action in portions equal to their interests in said real estate as above set out.

It is further adjudged by the Court that Chauncey D. Knight, 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 the approval of this Court.

And comes now Chancey D. Knight and accepts such trust and tenders his bond as Commissioner in the penalty provided as aforesaid with as sureties, which bond is approved by the Court and reads as follows, (Here Insert) and said Commissioner is directed to have an appraisment made of said real estate and thereupon proceed to the execution of the foregoing order of sale thereof.

And said Commissioner files his inventory and appraisment of the said real estate ordered sold in this proceeding taken and made in due form and reading as follows, which inventory and appraisment is examined and approved by the Court, (Here Insert).

It is further ordered and adjudged by the Court that on the sale of said real estate and the full payment of the purchase money, said Commissioner execute to said purchaser a deed therefor, and report the same to this Court for approval, together with a report of his doings in the premises.

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM ASSN., INC.)

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

JAMES E. ALLEN)
VS) # 16247 Judgt. vs Deft. for Costs.
LOUIS COHN) J. D. 18, Page 255.

Come now the parties, by their respective attorneys, and by agreement of parties, this cause is dismissed at the defendant's cost, which agreement is in the words and figures following, to-wit: (H.I.).

This cause is now dismissed at the defendant's cost.

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

ALPHIA WATSON)
VS) # 16593
HAROLD WATSON)

Comes now the plaintiff, and files verified petition for maintenance and attorney fees pending litigation, which petition is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said petition, now orders notice issued, returnable March 2nd, 1942, for hearing on said petition.

GLADYS SHEPHERD)
VS) # 15064
HERBERT SHEPHERD)

Comes now the petition, and the defendant not appearing, the Court hears the evidence of the petition and finds that it is necessary to modify the former order of this Court as to the custody of said Willie Everett Shepherd, (right name William Franklin Shepherd), and that from this date the custody and control of said William Franklin Shepherd shall be in the mother, Gladys Shepherd Moore.

It is, therefore, considered, ordered and adjudged by the Court that from this date, the custody and control of said William Franklin Shepherd shall be in the mother, Gladys Shepherd Moore.

This cause is continued as to hearing on delinquency due plaintiff on payments.

GENERAL COURT ALLOWANCES FOR THE JANUARY TERM, 1942.

Lillian Priest, Court Reporter	$ 240.00
Walter E. Hadley, Clerk Per Diem for Attending Court, Admittance for Patients to State Institutions and Change of Venue Claims	158.50
Ernest Bell, Bailiff	150.00
Thad Ryner, Jury Commissioner	15.00
Harry Thomson, Jury Commissioner	15.00

Hendricks County Republican	35.00
Lawyers-Coperative Publishing Co.	18.00
West Publishing Company	34.00
The American Law Book Company	20.00
Bancroft Whitney Company	10.00
PETIT JURY:	
Milton Hess	2.70
Chester Garner	3.90
Frank V. Hadley	2.80
Frank Owens	3.50
Ed Hubbard	2.90
Stella Walls	3.10
Ralph Blanton	3.50
Orean Merrett	3.30
John W. Edwards	2.70
Thaddeus Bridges	3.80
Alfreda Strickler	3.90
Leon Bayliss	3.10
Merrill Givins	3.50
John Fritsche	3.20
Helen Chadd	2.70
James Vaughn	4.00
William McCammack	3.50
Susan Cook	2.70
F. Brewer Hadley	2.70
Frank Guthrie	2.70
Donald Parsons	3.20
Walter Ramsey	3.30
T O T A L	$ 766.20

EARL McDANIEL)
VS) # 16147
ALBERT CARTER, ET AL.)

The defendant is ruled to answer complaint herein on or before March 6th, 1942.

JAMES E. ALLEN)
VS) # 16247
LOUIS COHN)

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. Six Dollars and - - - Cents, ($6.00) in the case of James E. Allen vs. Louis Cohn 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 sufficient voucher, and authority for so doing.

February 21st, 1942. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

Ordered by the Court that all cuases 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, 1942, of said court.

And court adjourned untilcourt in course,

Records read and signed in open court.

Horace L. Hanna, Judge.

GRAND AND PETIT JURORS, DRAWN FOR THE MARCH TERM, 1942.

BE IT REMEMBERED, That on the 23rd day of February, 1942, Thad J. Ryner and Harry G. Thomson, 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, 1942, of this court, viz:

1. Charles Money	Marion	Township
2. Bennie V. Pierson	Marion	Township
3. Fred Hobbs	Guilford	Township
4. Ora Blacketer	Union	Township
5. Harry Hollingsworth	Guilford	Township
6. Carl W. Pritchett	Center	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, 1942, of this court, viz:

1. Ralph Wills	Liberty	Twp.	13. Letha Mitchel	Liberty	Twp.
2. James Alley	Center	Twp.	14. Joseph C. Carter	Clay	Twp.
3. Oscar Clark	Franklin	Twp.	15. John Smith	Marion	Twp.
4. Marcie Cooprider	Clay	Twp.	16. Oscar McConnaha	Middle	Twp.
5. Otha Buis	Franklin	Twp.	17. Herman Griffith	Middle	Twp.
6. Harley Pennington	Brown	Twp.	18. Robert Hendricks	Middle	Twp.
7. Neal Cooprider	Clay	Twp.	19. Ernest Stanley	Center	Twp.
8. Victor Eulis	Washington	Twp.	20. James Long	Middle	Twp.
9. John Doyle	Brown	Twp.	21. John Kurtz	Marion	Twp.
10. Harold Hull	Brown	Twp.	22. Frank Proctor	Union	Twp.
11. Irma Coffman	Brown	Twp.	23. Arthur Newman	Franklin	Twp.
12. Claude Gladden	Lincoln	Twp.	24. David L. Furnish	Lincoln	Twp.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 23rd day of February, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

MINOR PYLES)
VS) # 16595
UNITED INSURANCE CO.,)
A CORPORATION.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers 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 February, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

CHARLES S. BOSSIE)
VS) # 16599
ALL AMERICAN BUS LINES, INC.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript

and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 25th day of February, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

ELEANOR MARTIN)
VS) # 16600
NEW YORK CENTRAL RAILROAD)
COMPANY, a corporation.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers 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 February, 1942, 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) # 8214 Judgt. vs Deft. for $35.00 and Costs.
BAILARD BURNS) J. D. 18, Page 255.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Ballard Burns, in his own proper person, and said defendant is duly arraigned before the Judge in Vacation, and said defendant pleads guilty to each court of the affidavit.

It is, therefore, adjudged by the Court that said defendant for the offense committed by him (operating motor vehicle under influence of intoxicating liquor), be fined twenty-five dollars and pay the costs of this action, taxed at _____dollars and _____cents.

It is further adjudged that said defendant for the offense by him committed (operating motor vehicle without procuring operator's license), be fined ten dollars, and the Court recommends that no operator's license be issued to said defendant for a period of twelve months.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 28th day of February, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

WAYNE AMBROUS, a minor by)
his next friend, LOUIS AMBROUS)
VS) # 16604
THE NEW YORK CENTRAL RAILROAD)
COMPANY a corp., et al, etc.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

Monday Morning, March 2nd, 1942.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the March Term, 1942, 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 March, 1942, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
George W. Hadley, Prosecuting Attorney,
Wiltsie J. Stuart, Sheriff,
Walter E. Hadley, Clerk.

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

STATE OF INDIANA)
VS) # 8179
JOHN F. ROBINSON)

Comes now the defendant, by counsel, and files affidavit to withdraw plea of not guilty for the purpose of filing motion for plea in abatement, which affidavit is in the words and figures following, to-wit: (H.I.).

Defendant files plea in abatement, which plea in abatement is in the words and figures following, to-wit: (H.I.).

IOLA RUNYON)
VS) # 16523
ORA RUNYON)

Comes now the defendant, and files petition to dissolve restraining order and modify support order, which petition is in the words and figures following, to-wit: (H.I.).

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

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAILROAD)
CO., ET AL.)

Comes now the defendant, Indianapolis Union Railway Company, and files answers to plaintiff's interrogatories, which answers are in the words and figures following, to-wit: (H.I.).

LAWRENCE W. SCHISLEY, ET AL.)
VS) # 16541
STANDARD INVESTMENT AND)
SECURITIES CO.)

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

MINNIE BOURNE)
VS) # 16274
LENA SHARTLE)

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

The defendant is ruled to answer amended complaint on or before March 16th, 1942.

JOHN F. JOHNSON)
VS) # 16547
WILLIAM J. JONES, ET AL.)

Comes now the plaintiff, and files demurrer to defendants' plea in abatement, which demurrer is in the words and figures following, to-wit: (H.I.).

The Court being duly advised, now sustains the defendants' plea in abatement, to which ruling of the Court the defendants object and except.

Defendants are ruled to answer complaint herein on or before March 16th, 1942.

THE FEDERAL LAND BANK OF)
LOUISVILLE)
VS) # 16546
VIRGIL V. RUNNELS, ET AL.)

Comes now the defendant, The International Harvester Company, and files answer of disclaimer, which answer is in the words and figures following, to-wit: (H.I.).

BERT WALLACE, BY HIS NEXT)
FRIEND, OSIE WALLACE)
VS) # 16516 Judgt. vs pltf. for Costs.
MINNIE McCLOUD WALLACE) J. D. 18, Page 255.

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause at the cost of the plaintiff.

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, Bert Wallace, by his next friend, Osie Wallace, is ordered to pay the costs of this action, taxed at_____dollars and _____cents.

MARGARET RICHEY BROCK, ADMIN-)
ISTRATRIX OF THE ESTATE OF)
CARL L. RICHEY, DECEASED.)
VS) # 16298 Judgt. vs Defts. for Costs.
PENNSYLVANIA RAILROAD CO., ET AL.) J. D. 18, Page 256.

Comes now the plaintiff, and files motion to dismiss this cause at the defendants' cost, 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 premises, now sustains the same, and this cause is dismissed at the defendants' cost.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the defendants, Pennsylvania Railroad Company and Indianapolis Union Railway Company, are ordered to pay the costs of this action, taxed at _____dollars and _____cents.

HAROLD PHILLIPS)
VS) # 16542 DIVORCE DECREE
OPAL PHILLIPS)

Comes now the plaintiff by his attorney John A. Kendall and it appearing to the court by the summons and return of the Sheriff's endorsement thereon, which summons and return are in the following words and figures, to-wit: (H.I.): That the defendant has been duly served with process for more than ten days before the day fixed by the plaintiff, by his endorsement on his complaint, for the defendant to appear and answer said complaint. George W. Hadley enters his appearance for said defendant and files answer, to-wit: (H.I.). The defendant Opal Phillps files petition that her maiden name of Opal White be restored to her, which petition is of the following words and figures, to-wit: (H.I.). Whereupon said cause is s ubmitted to the court for hearing, finding and decree.

The court having heard the evidence and being duly advised now finds for the plaintiff and that he is entitled to an absolute divorce from said defendant on the grounds alleged in his complaint and that the defendant should have her maiden name of Opal White restored to her and that there has been a property settlement between said plaintiff and defendant.

It is, therefore, considered and adjudged by the court that the plaintiff is hereby granted an absolute divorce from said defendant: maiden name of said defendant, to-wit: Opal White is hereby restored to her and that all property rights have been adjusted between said parties.

WALDO HADLEY)
VS) # 16548 DIVORCE DECREE
NAOMI HADLEY)

Comes now the plaintiff by his attorney John A. Kendall and it appearing to the court by the summons and the return of the Sheriff's endorsement thereon, which summons and return are in the words and figures, to-wit: (H.I.): That the defendant has been duly served with process for more than ten days before the day fixed by the plaintiff by endorsement on his complaint, for the defendant to appear and answer said complaint. Said defendant failing to appear she is three times loudly called in open court but comes not and herein makes default. Comes now George W. Hadley, Prosecuting Attorney for Hendricks County and enters his appearance for the said defendant.

Defendant files restoration petition for maiden name, that of Naomi Haywood. Whereupon said cause is submitted to the court for hearing, finding and decree.

The court having heard the evidence and being duly advised now finds for the plaintiff and that he is entitled to an absolute divorce from said defendant on the grounds alleged in his complaint and that he should pay the costs of this action and that the defendant should have her maiden name of Naomi Haywood restored to her.

It is, therefore, considered and adjudged by the court that the plaintiff

is hereby granted an absolute divorce from said defendant and that the maiden name of Naomi Haywood is hereby restored to said defendant. Costs paid.

MINNIE WILSON) Judgt. vs Deft. for $2.75 per Week and $30.00
VS) CAUSE NO. 16,590. Atty. Fees.
ROY WILSON.) J. D. 18, page 256.

Come now the parties in the above entitled cause and the hearing of the petition for support, pending the hearing on the complaint, and for an allowance for plaintiff's attorney fees, coming on for hearing before the court, which petition for support and attorney's fees is in the following words and figures, to-wit: (Here Insert).

And the court, having heard the evidence and agreements made therein by counsel for plaintiff and defendant, and being fully advised and informed in the premises, finds for the plaintiff that she is entitled to support from the defendant, during the pendency of this action, for herself and minor son, and also that she is entitled to attorney's fees with which to pay her attorney for representing her in this action.

It is therefore ordered and adjudged by the court that the defendant pay into the hands of the Clerk of the Hendricks Circuit Court, to be by such Clerk paid to the plaintiff, the sum of $2.75 each week for the support of herself and minor child during the pendency of this action; that the sum of $2.75 shall be paid by said defendant to said Clerk on the 16th day of March, 1942, for the support of said plaintiff and minor child, and that a like sum, each and every week thereafter during the pendency of this action, shall be paid by said defendant; that such payments shall be paid by said defendant every two weeks after the said 16th day of March, 1942, to said Clerk

It is further adjudged and ordered by the court that the defendant shall have the right and privilege of seeing such minor child every two weeks at her home and shall have the right and privilege of visiting said minor child for a reasonable length of time at each visit.

The court now orders that the defendant pay into the hands of the Clerk the sum of $30.00 as attorney's fees for plaintiff's attorney, and said sum is ordered paid within sixty days from this date.

Dated March 2, 1942.

STATE OF INDIANA)
VS) # 15830 Judgt. vs Pltf. for $5,950.00.
LEMON H. TROTTER) FINAL ENTRY. Judgt. vs Defts. for Costs. Except Apprs. Fees.
CLEO TROTTER.) J. D. 18, Page 256.

Comes now the plaintiff, the State of Indiana, by George N. Beamer, Attorney General, and Caleb J. Lindsey, Deputy Attorney, and comes also the defendants by their attorneys, Means and Buenting, and this cause being at issue upon the exceptions filed to the report of the appraisers herein, the same is now submitted to the Court for trial, finding, and judgment, without the intervention of a jury, and the Court after having heard the evidence and being duly and sufficiently advised in the premises, now finds that the plaintiff is entitled to condemn the premises described in plaintiff's complaint herein and to posses, have, and use the premises for highway purposes as set out and described in plaintiff's complaint.

The Court further finds for the defendants and against the plaintiff upon the exceptions filed by the parties to the report of the appraisers herein, and that the defendants should have and recover of and from the plaintiff the sum of Five

Thousand Nine Hundred and fifty ($5,950.00) Dollars, as compensation for the property and strip of land appropriated by plaintiff in this proceeding, and from the manner of the construction of the proposed improvements described in plaintiff's complaint.

And the Court further finds that the award of the appraisers in the above entitled cause heretofore made, was in the sum of Five Thousand Four Hundred Fifty ($5,450.00) Dollars, and that the plaintiff has paid said award so made to the Clerk of the Marion Circuit Court of Marion County, Indiana, and should be applied on the payment of this judgment.

The Court further finds that the plaintiff should recover of and from the defendants its costs herein laid out and expended, except the appraisers fees heretofore paid by the plaintiff.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED BY THE COURT, That the defendants herein have and recover of and from the plaintiff the sum of Five Thousand Nine Hundred and Fifty ($5,950.00) Dollars as compensation for the property appropriated by the plaintiff in this proceeding, and for all damages resulting from the appropriation of the strip of land described in said complaint, and resulting from the construction of the improvements in the manner proposed by the plaintiff in said complaint.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY THE COURT, That said sum adjudged due the defendants from the plaintiff herein be paid in the following manner, to-wit: The Clerk of the Marion Circuit Court of Marion County, Indiana, is hereby ordered and directed to pay at once, said sum of Five Thousand Four Hundred Fifty ($5,450.00) Dollars to the defendants herein, now in the possession of said Clerk which had heretofore been deposited by the plaintiff with said Clerk for the use and benefit of the defendants, without further order of this court, and the remainder of the judgment, to-wit:- Five Hundred ($500.00) Dollars should be paid to the Clerk of this Court, and the parties, both plaintiff and defendants, in open court waive the right to file a motion for a new trial and to appeal from the judgment herein rendered, and consent to the disbursement of said money immediately.

IT IS FURTHER CONSIDERED, ORDERED, AND ADJUDGED BY THE COURT, That the plaintiff recover of and from the defendants its costs herein laid out and expended, except the appraisers fees heretofore paid by the plaintiff.

Dated this _____day of March, 1942.

STATE OF INDIANA)
VS) # 15658 Judgt. vs Pltf. for $147.00.
LEMON H. TROTTER) FINAL ENTRY. Judgt. vs Defts. for Costs, Except Apprs. Fees.
CLEO TROTTER.) J. D. 18, Page 257.

Comes now the plaintiff, the State of Indiana, by George N. Beamer, Attorney General, and Caleb J. Lindsey, Deputy Attorney General, and comes also the defendants by Means and Buenting, their attorneys, and this cause is now submitted to the court for trial, finding and judgment, without the intervention of a jury, and the court being duly and sufficiently advised in the premises now finds that heretofore this court entered an order and judgment condemning the real estate set out and described in plaintiff's complaint herein, and appointed appraisers to appraise and award the defendants damages sustained by them by reason of said condemnation, and that thereafter the appraisers made and filed in this court their award of damages and fixed the amount of defendants' damages in the sum of One Hundred Forty-seven ($147.00) Dol-

lars. The Court further finds that neither the plaintiff or the defendants have filed exceptions to the award.

The Court further finds that the plaintiff paid the amount of the award so fixed by the appraisers to the Clerk of this Court, for the use and benefit of the defendants herein, and that said sum is now in the hands of the Clerk of this Court and should be applied on the payment of this judgment.

The Court further finds that the defendants should recover of and from the plaintiff the sum of One Hundred Forty-seven ($147.00) Dollars, as compensation for the real estate and the improvements thereon appropriated by the plaintiff in this proceeding, and for all damages resulting from said appropriation and from the manner of the construction of the proposed improvements described in plaintiff's complaint herein.

The Court further finds that the plaintiff should recover of and from the defendants its costs herein laid out and expended, except the appraisers fees heretofore paid by plaintiff.

IT IS THEREFORE CONSIDERED, ORDERED and DECREED BY THE COURT, That the defendants have and recover of and from the plaintiff the sum of One Hundred Forty-seven ($147.00) Dollars, as compensation for the land and property appropriated by the plaintiff in the 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, ORDERED, AND ADJUDGED BY THE COURT, That the judgment herein rendered be paid in the following manner, to-wit: The Clerk of this Court is hereby ordered and directed to pay the sum of One Hundred Forty-seven ($147.00) Dollars, to the defendants herein at once, which sum is now in the possession of said Clerk, having been heretofore deposited by the plaintiff for the use and benefit of the defendants, without further order of the Court, and the parties, both plaintiff and defendants, in open court waive the right to file a motion for a new trial and to appeal from the judgment herein rendered, and consent to the disbursement of said money immediately.

IT IS FURTHER CONSIDERED, ORDERED, AND ADJUDGED BY THE COURT, That the plaintiff recover of and from the defendants' its costs herein laid out and expended, except the appraisers fees heretofore paid by plaintiff.

Dated this 2nd day of March, 1942.

LOWELL HUGHES)
VS) # 16540.
FREEDA FERN HUGHES.)

Come now the parties in the above entitled cause, in their own proper persons, and by their counsel, and this cause is submitted to the court, without the intervention of a jury, upon the plaintiff's complaint and the defendant's cross- complaint, and the court, having heard the evidence, and being fully advised and informed in the premises, finds for the defendant on her cross-complaint and against the plaintiff on his complaint herein and that cross-complainant is entitled to a divorce from the plaintiff, cross-defendant herein, on the grounds and for the reasons set forth in her cross-complaint; further the court finds that said defendant and cross-complainant is entitled to have her former name of Freeda Fern Ronk restored to her and that she is entitled to recover her costs herein from the plaintiff, cross-defendant herein in said cross-complaint.

The court further finds against the plaintiff on his complaint, and that he should pay the costs of this action.

It is therefore ordered, adjudged and decreed by the Court that the defendant, Freeda Fern Hughes, cross-complainant herein, be and she is hereby granted an absolute divorce from the plaintiff, Lowell Hughes, cross-defendant herein; it is further 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 defendant, cross-complainant herein, is hereby restored to her former name of Freeda Fern Ronk.

It is adjudged by the court that the plaintiff, Lowell Hughes, pay the costs of this action, taxed at _____ dollars and _____ cents, which costs are now by him paid in accordance with this order and decree.

Dated March 2, 1942.

EDNA GILES, ADMINISTRATRIX)
OF THE ESTATE OF WILLIAM T.)
BRANSON)
VS) # 16544
PENNSYLVANIA RAILRAOD CO.,)
ET AL.)

Come now the defendants, by counsel, and file demurrer to plaintiff's complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA, EX REL)
LUTHER SYMONS, BANK COM.)
VS) # 13635
HUNTER BANK OF BROWNSBURG,)
INDIANA.)

Comes now the receiver, and files his final report, which report is in the following words and figures, to-wit: (H.I.); and it appearing to the Court that Willa Semones, Administratrix of the Estate of Harney F. Semones, filed in this court on August 29th, 1940, the final report of said Harney F. Semones, as Receiver of said bank, the Court now fixes April 6th, 1942, for the hearing of said final reports. Notice to creditors and all parties is ordered as provided by law.

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

Horace R. Hanna, Judge.

Tuesday Morning, March 3rd, 1942.

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

ALBERT E. UHL, EXECUTOR OF THE)
ESTATE OF LETHA R. HUBINGER,)
DECEASED.)
VS) # 16324
THE HOME INSURANCE CO. OF)
NEW YORK.)

Comes now the defendant in open Court, and verbally objects to the filing of the amended complaint and motion for change of venue from the Judge.

The Court having heard the argument of counsel and being duly advised, now sustains said defendant's objection to such filing, and said pleadings are now rejected for filing, to which ruling of the Court the plaintiff at the time reserves exception.

Marshel D. Abrams, Special Judge.

JOHN B. LAYNE)
VS) # 16498
LEO PICKETT,)
HENDRICKS COUNTY FARM)
ASSN., INC.)

Come now the parties, and the Court now sustains the plaintiff's motion for change of venue from Hendricks County, Indiana, and the parties agree that said cause shall be venued to Putnam County, Indiana, and said cause is now ordered venued to Putnam County, Indiana, and ten days are given to perfect said change.

ANDREW DOBBS)
VS) # 16302
THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA)

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

CLARA J. DENNY)
VS) # 16568
LILLIE I. NEESE, ET AL.)

Come now the defendants, by counsel, and file demurrer to plaintiff's complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

JESSE BARNES, ADMINISTRATOR)
OF THE ESTATEOF CHARLES RAGLAND,)
DECEASED.)
VS) # 16602
CIARENCE WILDMAN, ET AL.)

Comes now the defendant, Luther Stout, and files answer to plaintiff's complaint, disclaiming any interest in the note in suit, which answer is in the words and figures following, to-wit: (H.I.).

IOLA GLADYS RUNYON)
VS) # 16523
ORA RUNYON)

Comes now the plaintiff and files motion to strike off the record and out of the file the filing of the defendant's petition to dissolve restraining order and modify support order, which motion is in the words and figures following, to-wit:

Comes now the plaintiff, and moves the Court to withdraw motion to strike off the record defendant's petition to dissolve restraining order etc.

The Court being duly advised, now sustains said motion to strike off record, and this cause is continued to Friday, March 6th, 1942.

STATE OF INDIANA)
VS) # 8213 Judgt. vs Deft. for Costs.
WILLIAM LAWRENCE) J. D. 18, Page 257.

Come now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, William Lawrence, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of grand larceny.

It is, therefore, adjudged by the Court, that said defendant, William Lawrence, for the offense committed by him, grand larceny, be sentenced to the Indiana Reformatory for a period of not less than one year nor more than ten years, and pay the costs of this action, taxed at _____dollars and _____cents.

The Court finds the age of said defendant, William Lawrence, to be twenty-one years.

STATE OF INDIANA)
VS) # 8179
JOHN F. ROBINSON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant by John A. Kendall, his attorney, and the Court now overrules defendant's motionto withdraw his plea of not guilty for the purpose of filing plea in abatement. But the Court finds that the true name of said defendant is James Floyd Robinson, and that this cause should be had against him under the name of James Floyd Robinson, who was accused in the affidavit by the name of John F. Robinson.

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 4th, 1942.

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

STATE OF INDIANA)
VS) # 8179 Judgt. vs Pltf. for Costs.
JOHN F. ROBINSON) J. D. 18, Page 257.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, James Floyd Robinson, accused under the name of John F. Robinson, and his attorney, John A. Kendall, and the defendant waives his right to try this cause before a jury, and said cause is now submitted to the Court for trial, finding and judgment without the intervention of a jury.

Evidence is heard, and argument is heard, and the Court finds for the defendant.

It is, therefore, adjudged by the Court that the defendant be, and is acquitted of the charge made against him herein, and he is released and discharged all at the costs of the State of Indiana.

SOUTHERN JUNIOR COLLEGE, A. CORP.)
VS) # 16472
HOWARD C. GAMMON)
501 BLUE RIDGE)

Comes now the defendant, and asks to withdraw affidavit for change of venue. And the Court being duly advised, now grants said request, and demurrer is withdrawn.

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs 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, March 5th, 1942.

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

STATE OF INDIANA)
VS) # 8215
ROBERT ROE)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Robert Roe, 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, Robert Roe, for the offense by him committed, (assault and battery), shall be fined twenty-five dollars, and shall pay the costs of this action, taxed at _____dollars and _____ cents.

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY)

Comes now the plaintiff, by counsel, and argument of counsel for plaintiff is heard on motions now pending.

Plaintiff asks leave to file amended complaint, and the Court being duly advised, now grants leave.

C. C. Gillen

C. C. Gillen, Special Judge.

LITZELMAN & MORRISON)
VS) # 16594
THE STUDEBAKER CORPORATION)

All defendants are ruled to answer second paragraph of plaintiff's complaint on or before March 19th, 1942.

SAMUEL JOHNSON)
VS) # 16435
ALMA JOHNSON)E N T R Y .

Comes now the plaintiff in person and by counsel and comes now the defendant by counsel and it appearing to the court that the defendant has been duly served with process more than teh days before the first day of the present term of this court by publication three times in the Indianapolis Recorder, a newspaper of general circulation, printed and published at Indianapolis, Indiana.

And this cause being at issue, on the complaint of the plaintiff, and the cross-complaint of the defendant, the same is now submitted to the court 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 the plaintiff is entitled to a decree of divorce from the defendant on the grounds alleged therein and the court finds against the defendant on the defendant's cross-complaint.

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 and the court further finds that the maiden name of the defendant, was Alma Ann Dixon and that she is entitled to have the same restored to her, and it is hereby adjudged and decreed that defendant be and she is hereby restored her maiden name, towit, Alma Ann Dixon.

It is further considered and adjudged by the court that plaintiff have and recover of and from the defendant the costs and expenses herein laid out, paid and expended and taxed in the sum of $12.00. Ordered by me this 5th day of March, 1942.

KATHERINE FOGLEMAN)
VS) # 16530.
HARLAN FOGLEMAN) DIVORCE DECREE

Comes now the plaintiff by her attorney John A. Kendall and it appearing to the court by the summons herein and the return of the Sheriff's endorsement thereon, which summons and return are in the following words and figures, to-wit: (H.I.). 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. Said defendant failing to appear he is three times loudly called in open court but comes not and herein wholly makes default. Whereupon George W. Hadley, Prosecuting Attorney for Hendricks County enters his appearance for said defendant.

And the court having heard the evidence and being duly advised therein finds for the plaintiff and that she is entitled to an absolute divorce from said defendant on the grounds alleged in her complaint and that she is entitled to have her maiden name of Katherine Rader restored to her.

It is, therefore, considered and adjudged by the court that the plaintiff be granted an absolute divorce from said defendant and that her maiden name of Katherine Rader is hereby restored to her. All at the cost of the defendant, which costs are paid.

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

Friday Morning, March 6th, 1942.

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

HELEN L. BOAL)
VS) # 16372 Judgt. vs Pltf. for Costs.
EARL V. BOAL) J. D. 18, Page 257.

This action now having been duly reached on the calendar 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, and the plaintiff, Helen L. Boal, is ordered to pay the costs of this action, taxed at _____dollarsand _____cents.

GRACE E. ELAM)
VS) # 16106 Judgt. vs Pltf. for Costs.
BEN ELAM) J. D. 18, Page 258.

Now this action having been duly reached on the calendar 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, Grace E. Elam, is ordered to pay the costs of this action, taxed at _____ dollars and _____cents.

HELEN PERKINS)
VS) # 16425 Judgt. vs Pltf. for Costs.
ELMER PATTON, ET AL.) J. D. 18, Page 258.

Come now the parties, and the Court having had this cause under advisement and now being duly advised in the premises, finds for the defendants and against the plaintiff, all at the cost of the plaintiff.

It is, therefore, considered and adjudged that the plaintiff, Helen Perkins, take nothing by her suit.

It is further considered and adjudged by the Court that the defendants recover of and from the plaintiff their costs in this behalf paid, laid out and expended at _____dollars and _____cents.

IOLA GLADYS RUNYON)
VS) # 16523 Judgt. vs Deft. for $30.00 Per Month & Costs.
ORA A. RUNYON) DECREE J. D. 18, Page 258.

Comes now the parties by council and the plaintiff now withdraws her motion for a change of venue from the county and files her amended complaint for divorce and comes also the defendant and withdraws his cross complaint and files answer to plaintiff's amended complaint.

This cause being now at issue is submitted to the court for trial. The court having heard the evidence and being duly advised in the premises finds for the plaintiff upon her complaint and that the allegations therein contained are true and that

the bonds of matrimony heretofore existing between plaintiff and defendant should be dissolved. The court further finds that the plaintiff is entitled to the custody of Gene Forrest Runyon and that the defendant shall pay to the plaintiff for his support the sum of Thirty ($30.00) Dollars per month payable Fifteen ($15.00) Dollars on March 6, 1942 being a back payment and then Fifteen ($15.00) Dollars on the 17th day of March 1942 and Fifteen ($15.00) Dollars on the 2nd day of April, 1942 and at like intervals thereafter. The court further finds that the restraining order heretofore made in this case should be dissolved and the money involved in the said restraining orders should be released and ordered paid to the defendant, Ora Runyon, in the presence of the plaintiff, Iola Gladys Runion and likewise in the presence of Scott Ging and Sidney Horn and the payment made on or after March 9, 1942. All other properties mentioned in the various restraining orders in this case should hereby be released. The court further finds that the plaintiff, Iola Gladys Runyon, should receive from the money when released as above mentioned the sum of Four Hundred Seventy Five ($475.00) Dollars and that she should have all of the household goods except that she should turn over to the defendant, Ora Runyon, the Zenith radio, all insurance policies, all of his tools and electric fan.

It is therefore considered, ordered, adjudged and decreed by the court that the bonds of matrimony heretofore existing between plaintiff and defendant by and are hereby dissolved and that the plaintiff, Iola Gladys Runyon, is granted a complete and absolute divorce from the defendant, Ora Runyon, and she is hereby given the care and custody of their child, Gene Forrest Runyon. And the defendant, Ora Runyon is ordered to pay to the plaintiff the sum of Thirty ($30.00) Dollars per month for the support of said Gene Gene Forest Runyon, payments to be made as follows: Fifteen ($15.00) Dollars on the 6th day of March, 1942 which is a back payment, then Fifteen ($15.00) Dollars on the 17th day of March, 1942 and Fifteen ($15.00) Dollars on the 2nd day of April, 1942 and like amounts on the respective dates following and until the further order of this court. It is further ordered by the court that all restraining orders heretofore made are hereby dissolved and that the Rail Road Mens Federal and Loan Association and the Indiana National Bank of Indianapolis, Indiana are hereby ordered to release and pay over to the defendant, Ora Runyon all money belonging to him and which was affected by such restraining order, and that said money shall be paid to the said Ora Runyon on the 9th day of March or thereafter and to be paid in the presence of Iola Gladys Runyon and in the presence of Scott Ging and Sidney Horn and a certified copy of this decree shall be their authority for making such payment and out of the moneys so released the plaintiff, Iola Gladys Runyon, shall receive the sum of Four Hundred Seventy Five ($475.00) The said plaintiff shall also receive andkeep all of the house-hold goods which she now has belonging to defendant except she shall give him the Zenith radio, all insurance policies, all his tools and elecrtric fan. It is further ordered that the defendant shall pay the costs of this action, all of which is finally ordered, adjudged and decreed by the court.

ALPHIA WATSON)
VS) # 16593
HAROLD WATSON)

Come now the parties, and the Court hearing statement of the defendant and the parties being in open court, the Court finds that the defendant should pay ten dollars each week for the maintainance of the plaintiff pending litigation, that the restraining order herein prayed for should be made permanent until further order of this Court. First payment to be made March 6th, 1942, to the Clerk of this court and to be paid by the Clerk to Alphia Watson, plaintiff herein.

HOLLIE HENEY)
VS) # 16563
DANIEL CARSARO)

Come now the defendants, and file statement that certain proceedings are not shown in transcript of this cause, and asks that record be made complete in transcript, and that Court reconsider its ruling made herein on February 19th, 1942, which statement is in the words and figures following, to-wit: (H.I.).

The Court being sufficiently advised, now orders transcript returned to Marion County to be checked for errors and returned to this court.

HELEN PERKINS)
VS) # 16310 Judgt. vs Deft., Elmer Patton, for Costs.
ELMER PATTON) J. D. 18, Page 258.

Come now the parties, and the Court having had this cause under advisement and now being duly advised in the premises, finds for the plaintiff, Helen Perkins, and against the defendant, Elmer Patton, and that the following property of the defendant, Elmer Patton, in the hands of the defendant, The Indiana Trust Company, Indianapolis, Indiana, being $40.50, paid to said Company by said Helen Perkins for the benefit of Elmer Patton is subject to execution and should be applied to the satisfaction of plaintiff's judgment. The Court further finds that the following personal property of defendant, Elmer Patton, one shot gun and one Ingorsol Watch in his hands, is subject to execution to be applied to the satisfaction of plaintiff's judgment, and that the defendants be and they are hereby forbidden to transfer or in any way dispose of said property and that said property be delivered to the Sheriff of Hendricks County, Indiana, forthwith.

The Court further finds for the defendants, George Henry, Trustee of Wildcat Township, Tipton County, Indiana, and the Court also finds for the defendant, Merle Patton.

The Court finds that the plaintiff should recover from the defendant, Elmer Patton, her costs in this action.

It is, therefore, ordered by the Court that the following property of the defendant, Elmer Patton, in the hands of the defendant, The Indiana Trust Company, Indianapolis, Indiana, being $40.50, paid to said Company by said Helen Perkins for the benefit of Elmer Patton is subject to execution and shall be applied to the satisfaction of plaintiff's judgment.

It is further ordered by the Court that the following personal property of defendant, Elmer Patton, one shot gun and one Ingorsol watch in his hands, is subject to execution and shall be applied to the satisfaction of plaintiff's judgment and that said above named defendants be and they are hereby forbidden to transfer or in anyway dispose of said property and that said property be delivered to the Sheriff of Hendricks County, Indiana, forthwith.

It is further considered, ordered and adjudged that the plaintiff take nothing from the defendants, George Henry, Trustee of Wildcat Township, Tipton County, Indiana, and the defendant, Merle Patton, and that said defendants recover their costs herein.

It is further considered, ordered and adjudged by the Court that the plaintiff recover of and from the defendant, Elmer Patton, his costs in 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, March 7th, 1942.

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

LITZELMAN & MORRISON)
VS) # 16594
THE STUDEBAKER CORPORATION)

Come now six defendants, and file demurrer to plaintiff's second paragraph of complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 8216 Judgt. vs Deft. for Costs.
BENJAMIN HANLON)
J. D. 18, Page 259.

Comes now the State of Indiana, by George W. Hadley, Prosecuting attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of assault and battery.

It is, therefore, adjudged by the Court that said defendant, Benjamin Hanlon, for the offense committed by him be and he is sentenced to the Indiana Penal Farm for ninety days, and shall pay the costs of this action, taxed at _____ dollars and _____cents.

PETIT JURY EMPANELLED FOR THE MARCH TERM, 1942.

The Clerk is ordered to issue venire for the above named Petit Jurors to appear on Monday, March 9th, 1942, 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, March 9th, 1942.

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

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) #16397
THE PENNSYLVANIA RAILROAD)
COMPANY)

Comes now the defendant, and files answers to interrogatories, which answers are in the words and figures following, to-wit: (H.I.).

CLAYTON HARDWARE AND)
LUMBER COMPANY, INC.)
VS) # 16585
BEN STULL, ET AL.)

Come now the defendants, by counsel, and file demurrer to plaintiff's complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

ROBERT S. WRIGHT)
VS) # 16567
CLARA WRIGHT)

Comes now the defendant, by counsel, and files verified petition for attorneys' fees, which petition is in the words and figures following, to-wit: (H.I.).

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAILROAD)
COMPANY, ET AL.)

Comes now the defendant, by counsel, and moves the Court to publish depositions and examination of plaintiff. The Court being sufficiently advised, now sustains said motion, and depositions are ordered published.

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: Ernest Stanley, David L. Furnish, John Kurtz, Harley Pennington, Herman Griffith, Irma Coffman, Oscar McConnaha, Claude Gladden, Letha Mitchell, Harold Hull, John Doyle and Joseph Carter, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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 until 9:00 o'clock A. M., March 10th, 1942, under proper instructions of the Court as to their duties 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, March 10th, 1942.

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

IN THE MATTER OF THE PETITION)
OF GEORGE A. NASH, ET AL, FOR) # 14456
REPAIRING, STRAIGHTENING BUILDING)
TILE AND COVERING THE CHRISTOPHER)
TRUCKSESS DITCH IN LINCOLN TOWNSHIP.)

Come now Morrissey, et al, and file objections to acceptance by surveyor and for the Court delay approving acceptance until hearing on these objections, which objections are in the words and figures following, to-wit: (H.I.).

IRVING COHEN)
VS) # 16550
JOHN ROBERTS)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

ELMER C. HORNADAY)
VS) Cause No. 15977.
MARTHA HORNADAY) Entry.

Comes now Elmer C. Hornaday, plaintiff and cross-defendant in the above entitled cause of action, and presents and files his verified application and petition to modify the former order of court in this cause requiring the payment of the sum of $8.00 per week for the support of Kenneth Hornaday by the plaintiff, cross-defendant herein, and for the reducing of the amount of such weekly payments, which verified petition is in the following words and figures, to wit: (H.I.).

And the court, being fully advised and informed in the premises, does now fix March 28th, 1942, as the date for the hearing on such verified application and petition at the Court House at Danville, Hendricks County, Indiana, to modify the former order of court, and the court directs that the Clerk of the Hendricks Circuit Court mail a copy of this order to the defendant and cross-complainant, Martha Hornaday, who lives at the following address: #2715 Smithville Road, Dayton, Ohio.

All of which is hereby ordered by the court.

Dated March 10th, 1942.

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL)
RAILROAD COMPANY, ET AL.)

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

The Jury is allowed to separate until 9:00 o'clock A. M., March 11th, 1942, under proper instructions of the Court as to their duties during separation.

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 11th, 1942,

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

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAILROAD)
CO., ET AL.)

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

The Jury is allowed to separate until 9:00 o'clock A. M. March 12th, 1942, under proper instructions of the Court as to their duties during 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, March 12th, 1942.

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

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAILROAD COMPANY,)
and THE INDIANAPOLIS UNION RAILWAY)
COMPANY.)

Come now the parties, in person and by counsel and the jury is again brought into court, and evidence in continued and completed. At the conclusion of the evidence and after both parties had rested, the plaintiff tenders her amendment to complaint, which amendment to complaint is in the words and figures following, to-wit: (H.I.), and prays the Court for leave to amend her complaint according. The defendant objects to the amending of said complaint as requested by plaintiff, and the Court sustains objection to amend complaint, to which ruling of the Court the plaintiff objects and excepts.

Jury is now allowed to separate until 9:00 o'clock A. M., March 13th, 1942, under proper instructions as to their duties during separation.

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 13th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

GEORGE E. WENDLING)
VS) # 16292
LYELL KURTZ)

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

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

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

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAILROAD COMPANY,)
and THE INDIANAPOLIS UNION RAILWAY)
COMPANY.)

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

Plaintiff at the close of all the evidence tenders to the Court instructions numbered 1 to 11 both inclusive, with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury. Comes now the defendant at the close of all the evidence and tenders to the Court instructions numbered 1 to 8 both inclusive, with written request therefor to instruct the jury in writing and to indicate before argument the instructions that willbe given to the jury. And now the Court indicates by written memorandum all instructions that will be given and all instructions that will be refused by the Court. The court indicates that it willgive instructions numbered 1, 2,3,4,6,7,8 and 9 tendered by the plaintiff and will refuse to give instructions numbered 5 and 10, tendered by the plaintiff. The Court indicates that it will give instructions numbered 2,3,4,5 and 6, tendered by the defendant, and will refuse to give instructions numbered 1, 7 and 8, tendered by the defendant.

The Court now tenders to the plaintiff and to the defendants the instructions to be given by the Court of its own motion, said instructions being numbered 1 to 21, both inclusive.

Comes now the plaintiff at the close of the evidence, and before the beginning of the argument and after all instructions had been submitted and the court had indicated which instructions it would give and which instructions it would refuse to give, and now the plaintiff, having had reasonable opportunity to examine said instructions does now orally state his specific objections, out of the presence of the jury, to each of the following instructions: Plaintiff now objects and excepts to instructions numbered 2, 4 and 5 tendered and requested by the defendant herein. Plaintiff also now objects and excepts to the Court's refusal to give instructions numbered 5 and 10 tendered by the plaintiff. All of said specific objections and exceptions of said plaintiff made orally are taken by the Reporter and may be

made a part of the record by general or special bill of exceptions.

Comes now the defendant at the close of the evidence and before argument and after all instructions had been submitted and the Court indicated which instructions it would give and which instructions it would refuse to give and now said defendant, having had reasonable opportunity to examine said instructions does now orally state no specific objections, out of the presence of the jury. To each of the following instructions: Defendant now objects and excepts to the Court's refusal to give instructions numbered 1, 7 and 8 and tendered by the defendant, All of said specific objections and exceptions of said defendants are made orally.

Defendants file and request the Court to submit Interogatories to jury 1 to 3, both inclusive. (H.I.)

And now this cause is presented to the jury in oral argument; and now the Court instructs the jury by giving to the jury of its own motion instructions numbered 1 to 21 both inclusive. And the Court gives to the jury instructions numbered 1,2,3,4,6,7,8 and 9 tendered by the plaintiff and the court refuses to give instructions numbered 5 and 10 tendered by the plaintiff. And now the Court gives to the jury instructions numbered 2,3,4,5 and 6 tendered by the defendant, and the Court refuses to give instructions numbered 1,7 and 8 tendered by the defendant. And the Court instructs the jury to answer interrogatories 1 to 3 both inclusive and to return said answers with its verdict.

And now all instructions, including those tendered, given and refused, together with the Court's memorandum thereon, and the written objections and exceptions of the plaintiff and of the defendant, and the interrogatories numbered 1 to 3 both inclusive are ordered filed, and filed, and ordered made, and made a part of the record in this cause, without a bill of exceptions.

And now the jury retires to deliberate upon its verdict.

And now the jury returns into open Court its verdict in the following words and figures, to-wit: "We, the Jury, find for the plaintiff and that she should recover herein the sum of $9,000.00" Signed "Claude W. Gladden" "Foreman of the Jury", which said verdict is now received by the Court and filed. The Jury also with the return of its verdict, returns its answers, respectively to Interrogatories numbered 1, 2 and 3. Answering Number 1 - "20 miles" Number 2 - "Yes Number 3, "yes" which Interrogatories and answers are signed "Claude W. Gladden" "Foreman of the Jury", which said Interrogatories and answers thereto is now received by the Court and filed.

Jury discharged.

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

Horace L. Hanna, Judge.

Saturday Morning, March 14th, 1942.

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

EMANUEL BOSSIE)
VS) # 16611
ALL AMERICAN BUS LINES INC.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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

Monday Morning, March 16th, 1942.

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

BERNARD S. FIELDS)
Plaintiffs,
VS) # 16612 RESTRAINING ORDER.
STATE BOARD OF)
BARBER EXAMINERS)
Defendant.)

Come now the plaintiffs, BERNARD S. FIELDS by their counsel and file their duly verified complaint for a restraining order without notice, and for a temporary and permanent injunction, which complaint is in the words and figures following (here insert):

And the plaintiffs present with said complaint their supporting affidavits and their general undertaking with SEABOARD SURETY COMPANY as surety thereon, as required by law upon the granting of a restraining order without notice; which said undertaking is now filed, submitted to and approved by the Court, and is in the words and figures following (Here insert):

And this proceeding being submitted to the Court on said verified complaint and supporting affidavits and the Court being sufficiently advised in the premises, finds for the plaintiffs that an emergency exists by reason of which the plaintiffs are entitled to a restraining order without notice to the defendant, State Board of Barber Examiners, as prayed in said verified complaint, enjoining and prohibiting said defendant forthwith from interfering with the plaintiffs or with either or any of them in the operation of their barber business as alleged in said complaint, and specifically restraining enjoining said defendant Board, forthwith, until further order of this Court, from enforcing against either or any of said plaintiffs certain orders made and promulgated by defendant and referred to in said complaint, fixing maximum hours and minimum prices for barber shop operation and for barbering services in the County of HENDRICKS; and from doing and performing, or causing to be done and performed, any of the acts or threatened acts complained of in plaintiffs' said complaint.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that the defendant, State Board of Barber Examiners, be and the same is hereby restrained and enjoined forthwith from in any manner interfering with the operation of the business of the several plaintiffs as barbers or as operators of barber shops in the County of HENDRICKS and specifically, said defendant Board is hereby restrained and enjoined forthwith and until further order of Court from enforcing against either or any of the said plaintiffs the orders referred to in plaintiffs' complaint, fixing maximum hours and minimum prices for barber shop operation and for barber service in said County of HENDRICKS from instituting or causing to be instituted any action or proceeding, civil or criminal against either or any of said plaintiffs for disobeying said orders or any of them; from hearing or acting upon any charges heretofore or hereafter filed or brought against either or any of said plaintiffs and pertaining to said orders or to any orders made by defendant Board, adopted by it under the acts of the General Assembly of the State of Indiana of 1939, Chapter 108 or under the Acts of said General Assembly of 1941, Chapter 77 or under either of them; from officially establishing days or hours during which, exclusively, barber shops may remain open for business in said county, from compell-

ing either or any of said plaintiffs to keep books, records or accounts showing barber work performed by them respectively, the prices thereof, expenses incident to the operation of their barber shops, net profits of such shops from month to month, or any other records, information or reports for use or inspection by said defendant Board; from adopting and promulgating any scale of prices for barber service in said county; all until notice and further order of the Court herein.

And the Court now fixes the 31st day of March 1942, at the Court Room of the HENDRICKS CIRCUIT COURT OF HENDRICKS COUNTY in the Court House at DANVILLE, HENDRICKS County, Indiana, at 10 o'clock A. M. or as soon thereafter as counsel can be heard, as the time and place for determining whether or not a temporary injunction herein should be granted.

It is further ordered that there issue to the Sheriff of MARION County, Indiana, a certified copy of this restraining order and that he be, and he is hereby, directed to serve the same forthwith upon the defendant, State Board of Barber Examiners, and make due return thereof.

It is further ordered that service of this restraining order by the Sheriff of MARION County as herein provided shall constitute sufficient notice to the defendant Board of the time and place at which an application for a temporary injunction in this cause will be heard.

All of which is considered, ordered and adjudged by the Court, this 16 day of March, 1942.

RUSSELL F. SHAHAN, DOING)
BUSINESS AS LIZTON GRAIN)
AND LUMBER COMPANY)
VS) 16598
WILLIAM L. JONES, ET AL.)

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

JOHN F. JOHNSON)
VS) # 16547
WILLIAM J. JONES, ET AL.)

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

NASH ENGINEERING COMPANY,)
A CORPORATION, ETC.)
VS) # 16579
MARCY REALTY CORP. INC.,)
A CORPORATION ETC., ET AL.)

Come now the defendants, Marcy Realty Corporation, Inc., Seaboard Surety Company and Everett A. Carson, and file their separate and several answer to plaintiff's second paragraph of complaint, which answer is in the words and figures following, to-wit: (H.I.).

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, (all stipulated), and this cause is continued for argument of counsel.

WARREN WEBSTER AND COMPANY,)
A CORPORATION, ETC.)
VS) # 16583
MARCY REALTY CORPORATION INC.,)
ET AL., ETC.)

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

Come now the defendants, and file separate and several answer to plaintiff's second paragraph of plaintiff's complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

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, (all stipulated), and this cause is continued for argument of counsel.

THE PHILIP CAREY COMPANY,)
A CORPORATION, ETC.)
VS) # 16577
EVERETT A. CARSON, ET AL.)

Comes now the plaintiff, and by consent of the Court files amended complaint, bringing in a new party defendant, (Indiana Heating and Plumbing Company, Inc.), which amended complaint is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Indiana Heating and Plumbing Company Inc., and waives the issuance and service of summons and files answer to plaintiff's amended complaint, which answer to amended complaint is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Everett A. Carson, and files demurrer to plaintiff's amended complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Seaboard Surety Company, and files demurrer to plaintiff's amended complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Fred W. Fenneman, and files answer to plaintiff's amended complaint, which answer is in the words and figures following, to-wit: (H.I.).

The Court being duly advised, now overrules demurrer of the defendant, Everett A. Carson, to plaintiff's amended complaint, to which ruling of the Court the defendant, Everett A. Carson, objects and excepts.

The Court being duly advised, now overrules demurrer of defendant, Seaboard Surety Company, to plaintiff's amended complaint, to which ruling of the Court the defendant, Seaboard Surety Company, objects and excepts.

Comes now the defendant, Everett A. Carson and files answer to plaintiff's amended complaint, which answer is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Seaboard Surety Company, and files answer to plaintiff's amended complaint, which answer is in the words and figures following, to-wit: (H.I.).

This cause being at issue, the same is now submitted to the Court for trial, judgment and decree without the intervention of a jury.

Evidence is heard, (all stipulated), and this cause is continued for argument of counsel.

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

Horace R. Hanna, Judge.

Tuesday Morning, March 17th, 1942.

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

TRESSIE HAMILTON)
VS) # 16133
EARL HIGGINS)

Comes now the plaintiff, and moves the Court to have an alias summons issued to the Sheriff of Vigo County, State of Indiana.

The Court being sufficiently advised, now sustains said motion, and an alias summons is ordered issued accordingly, to be returnable April 17th, 1942.

MARION A. ENNIS)
VS) # 16327 Judgt. vs Defts. for $2650.00 and Costs.
HORACE BELL) J. D. 18, Page
ROY CLARK)

The Court being duly advised, now renders judgment on the verdict of the jury as follows:

It is, therefore, now considered and adjudged by the Court that the plaintiff, Marion A. Ennis, recover of and from the defendants, Horace Bell and Roy Clark, as damages herein, the sum of two thousand six hundred and fifty ($2650.00) dollars, together with his costs laid out and expended herein at _____dollars and ____ cents.

INA M. PRICE)
VS) # 16613
MAURICE G. PRICE)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

ADDITIONAL JURORS ORDERED DRAWN AND EMPANELLED FOR THE MARCH TERM, 1942.

By reason of the business of this Court and of valad excuses of many of the jurors to serve, because of age, sickness and other causes, the Clerk of this Court is hereby ordered to convene the Jury Commissioners and in their presence draw from the jury box the names of twelve additional persons for jury service for this term's service.

The Clerk is ordered to issue venire for said persons to appear in this court Wednesday, March 18th, 1942, at 9:00 o'clock A. M. for jury service.

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 18th, 1942.

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

OTIS WHITE)
VS) # 16421
WALDO G. PARMENTER, ET AL.)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed without prejudice at the cost of the plaintiff, which costs are now paid.

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

CHARLES E. BOURN)
Plaintiff)
VS.) # 16592 ORDER APPROVING COMMISSIONER'S SALE OF
MAMIE E. COOPER, ET AL.,) REAL ESTATE.
Defendants.)

Comes now, Chauncey D. Knight, Commissioner, heretofore appointed in this cause and files his report of the sale of the said real estate in the proceeding ordered sold, which report is in words and figures as follows; (H.I.) from which report it appears and the Court so finds that after giving notice of the sale of said real estate and after having the same duly appraised as required by the order of this Court, authorizing such sale, said Commissioner sold said real estate at Private sale of Gilbert F. Ruark and Allie R. Ruark for the sum of Three Thousand One Hundred Ten ($3110.00) Dollars, that being the highest and best bid offered for said real estate and said sum being more than the appraised value thereof; that said sale is for cash all of which is to be paid cash in hand upon delivery of said deed to said real estate, said Commissioner now brings into Court the deed for said real estate, executed by said Commissioner to the purchaser for the approval of the Court.

The Court being sufficiently advised in the premises now in all things approves said report and deed and ratifies and confirms said report of said sale of said real estate, and said Commissioner is ordered to deliver said deed to the purchaser.

And the Court upon proof heard now allows said Commissioner Chauncey D. Knight for his services the sum of $50.00 and allows Charles E. Edwards for his services as plaintiff's counsel and attorney for said Commissioner in said sale the sum of $75.00 the said sums to be paid out of the sum received for the sale of said real estate.

The Court further orders and directs said Commissioner, after payment of all liens, and the cost of abstract and all other proper costs and allowances, to distribute, without delay, the cash proceeds of said sale between the parties hereto in proportion to their respective interests as heretofore found and determined by this Court.

And upon such distribution being made said Commissioner is required to make due report to this Court and file herewith proper bouchers in evidence of such payments.

And this cause is continued for report of said Commissioner.

Record read and signed in open court.

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

Horace L. Hanna, Judge.

Thursday Morning, March 19th, 1942.

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

STATE OF INDIANA ON THE RELATION)
OF RALPH K. LOWDER)
VS) # 16437
GEORGE E. CLAWSON)

The plaintiff having heretofore tendered it's special finding of facts and conclusions of law thereon, are each now filed as of this date, and are in the following words and figures, to-wit: (H.I.).

The defendant having heretofore tendered his special finding of facts and conclusions of law thereon are each now filed as of this date, and are in the following words and figures, to-wit: (H.I.).

Both parties tender briefs and reply briefs and oral argument having been had, Court takes matter under advisement.

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 20th, 1942.

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

GLEN BRADY)
VS) # 16615
BOARD OF MANAGERS OF THE)
INDIANA BOYS' SCHOOL.)
THE SUP'T. OF THE INDIANA)
BOYS' SCHOOL.)

Glen F. Brady having filed his verified petition herein by which it is shown that his son, Thomas G. Brady, is unlawfully restrained of his liberty and wrongfully imprisoned and which said petition is in the following words and figures, to-wit: (H.I.).

And the Court having seen and inspected said petition, and being duly advised in the premises, finds that a writ of habeas corpus should be issued herein.

It is, therefore, ordered by the Court that a writ of habeas corpus issue out of and under seal of this Court directed to the defendants herein and commanding said defendants to have the body of said Thomas G. Brady before this Court at the court-room of the court house in the town of Danville, Indiana, on the 23rd day of March, 1942, at 2:00 P. M. of that day, then and there to abide the order of the court concerning the said Thomas G. Brady in the matter of his detention and that he then and there have the said writ.

ROBERT S. WRIGHT)
VS) # 16567 DECREE OF DIVORCE Judgt. vs Pltf. for $200.00 Alimony, $50.00 Atty. Fee and Costs.
CLARA WRIGHT) J. D. 18, Page 259.

Comes now the plaintiff in person and by counsel and also the defendant in person and by counsel and it appearing to the satisfaction of the court that the defendant has been duly served with summons for more than ten days before the return date thereof as marked on said plaintiff's complaint, which return and the service of the Sheriff thereon are of the following words and figures to-wit: (H.I.).

The defendant now files answer, which answer is of the following words and figures to-wit: (H.I.).

Whereupon said cause is submitted to the court for hearing, trial and decree.

The court having heard the evidence and being duly advised in the premises finds for the plaintiff and that he is entitled to a decree of divorce on the grounds alleged in his complaint: That the defendant is entitled to judgment for alimony in the sum of $200.00, which is to be paid to said defendant at the time she surrenders up peaceable possession of the house and property which she now occupies, which property is located at 87 North Warmon Avenue, Indianapolis, Indiana, which possession is to be given by said defendant not to exceed thirty (30) days from date hereof: That the plaintiff pay the costs of this action and that the plaintiff pay Williams and Schlosser the sum of $50.00, attorney fee in the following manner, $25.00 within thirty days, and the remaining $25.00, within sixty days from date hereof, all to be paid to the Clerk of the Hendricks Circuit Court.

Friday, March 20th, 1942, and the 17th day of the March Term, 1942.

It is therefore considered and adjudged by the court that the plaintiff is hereby granted an absolute divorce from said defendant: That the defendant is awarded judgment for alimony in the sum of $200.00, which plaintiff is to pay at the time said defendant delivers up peaceable possession of the property that she now occupies at 87 North Warmon Avenue, Indianapolis, Indiana, which peaceable possession shall be given to the said plaintiff not to exceed thirty days from date hereof: That the plaintiff pay the costs of this action and that the plaintiff pay the defendants Attorneys, Williams and Schlosser the sum of $50.00, as follows, $25.00 within thirty (30) days after date hereof and the remaining $25.00 sixty (60) days after date hereof, same to be paid to the Clerk of the Hendricks Circuit Court.

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

Horace L. Hanna, Judge.

Saturday, March 21st, 1942, and the 18th day of the March Term, 1942.

Saturday Morning, March 21st, 1942.

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

STATE OF INDIANA)
VS) # 8217 Judgt. vs Deft. for $5.00 Fine and Costs.
WALTER COX) J. D. 18, Page 259.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also 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 said defendant, Walter Cox, for the offense by him committed shall be and he is fined five dollars and shall pay the costs of this action, taxed at _____dollars and _____cents.

MONROE NUGENT, ET AL.)
VS) # 16616
ELSA STACEY, ALIAS)
ELSA NUGENT, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the county, which transcript and papers are in the words and figures following, 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, March 23rd, 1942.

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

JERRY BLACK, ET AL.)
VS) # 16618
ALYMER E. HENDRYX, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

GLEN BRADY)
VS) # 16615
BOARD OF MANAGERS OF THE)
INDIANA BOYS' SCHOOL)
THE SUP'T. OF THE INDIANA)
BOYS' SCHOOL.)

Come now the respondents, and file return to the writ of habeas corpus, which return is in the words and figures following, to-wit: (H.I.).

Comes now the plaintiff, and files exceptions to defendants' return, which exceptions are in the words and figures following, to-wit: (H.I.).

Come now the defendants and comes also said Thomas G. Brady, in person, and also comes Norman E. Duke, Deputy Attorney General of Indiana, and now comes the plaintiff, in person and also his attorneys, Ira M. Holmes and John A. Kendall, and now oral argument is had on exceptions to defendants' return, and the Court takes matter under advisement.

Thomas G. Brady is left in the custody of the defendants pending decision of the Court in this matter.

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 24th, 1942.

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

PENSION FUND OF)
DISCIPLES OF CHRIST)
VS) # 16249
CHARLES F. TUCKER, ET AL.)

Comes now the plaintiff, and files answer to cross-complaint of defendant, Bernice E. Shirley, which answer is in the words and figures following, to-wit: (H.I.).

Said plaintiff now files reply to the affirmative allegations in the answer of Bernice E. Shirley, which reply is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA, EX REL,)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL.)

Come now the parties, and the Court overrules defendant's demurrer to relators reply, to which ruling of the Court the defendants separately and severally object and except.

The plaintiffs file request for Court to find the facts specially and the conclusions of law thereon, which request is in the words and figures following, to-wit: (H.I.).

Come now the defendants, and tender second paragraph of answer to complaint for filing. Plaintiffs object to the filing of an additional paragraph of answer after issues have been closed.

Oral argument is had, and the Court sustains objection of plaintiffs to the filing of additional paragrah of answer, to which ruling of the Court the defendants object and except.

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 continued for each party to file special findings of fact and their conclusions of law and to file briefs.

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 25th, 1942.

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

C. I. T. CORPORATION)
VS) # 16584
WILFORD CLOUSER)

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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

DORA M. PARSON)
VS) # 16572
CARL PRESSLER)

Come now the parties, and the Court being duly advised, now sustains plaintiff's demurrer to second paragraph of answer, to which ruling of the Court the defendant objects and excepts.

JUANITA SEARS)
VS) # 16378
HOBART SEARS)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

ETHEL COX)
VS) # 16391 Judgt. vs Pltf. for Costs
JOHN E. BYERS, ET AL.) J. D. 18, Page 260.

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: Ralph Wills, Marcia Cooprider, Harley Pennington, Irma Coffman, Calude Gladden, Herman Griffith, Joseph Carter, Oscar McConnaha, Letha Mitchell, Robert Hendricks, Arthur Newman and Elvin Busby, twelve good and lawful men and women, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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.

Plaintiff moves the Court to be allowed to amend retorical paragraph number five of her complaint to read, "that said Russell Byers, defendant, was driving in a northeasterly direction on and along Fall Creek Boulevard or State Highway

No. 13", and to strike out from where it says "Cliffton Electric Company", down to and including the word "thereof" on the eighth line, and substitute in lieu of that "that said defendant Russell Byers was operating said automobile as aforesaid in a northeasterly direction on and along said Fall Creek Boulevard or State Highway No. 13.

Evidence is heard and plaintiff rests.

The defendants separately and severally at the cost of the plaintiff's evidence, files and moves the Court to direct the verdict for said defendants and each of them.

Plaintiff moves the Court to dismiss this cause at the plaintiff's cost.

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

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Ethel Cox, 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, March 26th, 1942.

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

LESTER E. SCHENCK)
VS) # 16614
ELIZABETH SCHENCK)

Comes now the defendant, by counsel, and files verified petition for support and suit money, which petition is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said petition, the same is now set for hearing March 28th, 1942, at 9:00 o'clock A. M., by agreement of parties.

GEORGE C. HARVEY)
VS) # 16371
HELEN H. CUSACK, ET AL.) E N T R Y

Comes now George W. Hadley, the duly appointed commissioner herein to sell the real estate heretofore by this court ordered sold and files a verified petition to re-advertise the sale of said real estate by giving notice thereof by 2 publications thereof once each week for 2 weeks successively in The Commercial, a daily newspaper of general circulation, printed in the English language and published in Marion County, Indiana; and by inserting brief notices thereof in the classified advertising sections of the Indianapolis News and the Indianapolis Sunday Star, once each week for 2 weeks successively, which petition is in the words and figures following, to-wit: (H.I.)

And the court having seen and examined said petition and being duly advised in the premises finds that it would be in the best interests of the sale of said real estate to re-advertise the sale thereof by giving notices of the time, terms, and place thereof as prayed for in said petition. The court further finds that the prayer of said petition ought to be granted.

It is therefore ordered and adjudged that the commissioner herein re-advertise the sale of the real estate heretofore ordered sold, the same lying and being in Marion County, State of Indiana, and described as follows, to-wit:

Lot Numbered four (4) in Milligan's Park Land Addition to the City of Indianapolis, Marion County, Indiana,

by giving notice of the time, terms and place thereof by 2 publications in The Commercial, a daily newspaper of genemal circulation, printed in the English language, and published in Marion County, Indiana, once each week for 2 weeks successively, the first of which notice shall be so published not less than 10 days prior to the time fixed for said sale; and by giving a brief notice of the time, terms, and place of such sale once each week for 2 weeks successively in the classified advertising sections of the Indianapolis News and the Indianapolis Sunday Star, the first of which shall be published not less than 10 days prior to the time fixed for said sale.

It is further ordered and adjudged that said commissioner sell the whole of said real estate at private sale, for not less than the full appraised value thereof as heretofore fixed, and for cash. It is further ordered and adjudged that if said real estate is not sold on the date fixed such sale shall continue from day to day thereafter until said real estate is sold or until the further order of this court.

It is further ordered that the costs of the publications of the notices of such sale as herein ordered shall be taxed as a part of the costs of this proceedings. And said commissioner is ordered to proceed to sell the whole of said real estate pursuant to this order and time is given.

LOIS OWENS)
VS) # 16543 Judgt. vs Deft. for $5.00 Per Week & Costs.
ALTON OWENS) DIVORCE DECREE J. D. 18, Page 260.

Comes now the plaintiff in person and by counsel and comes also the defendant in person and by counsel, and it appearing to the satisfaction of the court, by the summons herein and the return of Sheriff's endorsement thereon, which summons and return are in the following words and figures, to-wit: (H.I.) That the defendant has been duly served with process for more than ten days before the day fixed by the plaintiff, by endorsement of her complaint for the defendant to appear and answer said complaint. The defendant files answer in the following words and figures, to-wit: (H.I.).

Whereupon said cause is submitted to the court for finding 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 said defendant on the grounds alleged in her complaint: That she is entitled to the care, custody and control of Mary Marie Owens: That the defendant should pay to the Clerk of the Hendricks Circuit Court the sum of $5.00 per week for the care of said child, the first payment to be made on Saturday March 28th, 1942, and each week thereafter until further order of this court and the Clerk is directed to pay said money out to Lois Owens: That said defendant is entitled to reasonable visiting privileges with said child and that said defendant is entitled to take said child every other Sunday afternoon to the home of said childs grandparents, Mr. & Mrs. William R. Owens, from 1:00 o'clock P. M. and to return said child by 5:00 o'clock P. M.

It is therefore ordered, adjudged and decreed by the court that the plaintiff is hereby granted an absolute divorce from said defendant: That said plaintiff is granted and awarded the care, custody and control of said child: That said defendant should pay into the Clerk's office of the Hendricks Circuit Court for support and maintainance of said child the sum of $5.00 per week, the first payment to be made Saturday March 28th, 1942, and like sum each week thereafter until further order of this court and the Clerk of said court is directed to pay out said money to Lois Owens: That defendant is entitled to reasonable visiting privileges with said child and he is entitled to take said child every other Sunday afternoon at 1:00 o'clock P. M. to the child's grandparents home, Mr. & Mrs. William R. Owens and to return said child to plaintiff's home at 5:00 o'clock P. M., the first Sunday on which said defendant shall take said child being April 5th, 1942. All at the cost of the defendant.

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 27th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

THE FEDERAL LAND BANK OF)
LOUISVILLE)
VS) # 16546
VIRGIL V. RUNNELS, ET AL.)

Comes now the defendant, The Peoples Church, Incorporated, by counsel, and files and enters written appearance herein and disclaims any and all interest, title or estate in the real estate described in plaintiff's complaint, which written appearance is in the words and figures following, to-wit:)H.I.).

MINNIE BOURNE)
VS) # 16274
LENA SHARTLE)

Comes now the defendant, by counsel, and asks extention of time on rule to answer heretofore made herein.

The Court being duly advised, now grants said request, and the defendant is ruled to answer on or before April 7th, 1942.

STATE OF INDIANA)
VS) # 8170
ERNEST L. ELLETT)

Comes now the State of Indiana, by George W. Hadley, prosecuting attorney, and files complaint for warrant to be issued, which complaint is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined the same, now orders warrant to be issued to the Sheriff of Hendricks County, Indiana, for the arrest of said defendant, and that said defendant be brought before the Court forthwith.

THE BOARD OF COMMISSIONERS OF)
THE COUNTY OF HENDRICKS.)
VS) # 16608.
CLAUDE H. ROBBINS)
BETTIE ROBBINS)

On this 27th day of March, 1942, the same being the day set for the hearing of the cause, personally appeared the defendants, Claude H. Robbins and Bettie Robbins, being represented by Otis E. Gulley, their attorney and the plaintiff being represented by the County Attorney, Charles V. Sears, and, it appearing to the court that the defendants were duly served with notice of the proceeding herein, which notice was returnable on March 17, 1942, and it further appearing that said defendants entered their appearance herein on said date and the Judge of the Court having examined the complaint, heard the evidence thereon, and being duly advised in the premises, now finds that the plaintiff's complaint is proven and true and that said plaintiff is entitled to condemn and appropriate the strip of land described in the complaint for highway purposes, as alleged in said complaint, which strips of land are respectively owned and described as follows:

A parcel of land lying in the West half of Section twenty two (22) and the East half of Section twenty one (21), Township seventeen (17) North, Range two (2) West, Hendricks County, Indiana, more particularly described as follows, to-wit:

From the Southwest corner of said Section 22 said point being also the centerline of the proposed highway improvement; measure north along said centerline, same being also the West line of said Section 22, a distance of eighteen (18) feet to the point of beginning; thence continuing along said centerline and in said direction a distance of sixty eight (68) feet a parcel of land varying uniformly from eighty five (85) feet to thirty five (35) feet in width lying on the right and adjacent to the above last discribed centerline; thence continuing along said centerline and in said direction a distance of two hundred sixty five (265) feet, a strip of land thirty five (35) feet in width lying on the right and adjacent to the above last described centerline; thence continuing along said centerline and in said direction a distance of two hundred (200) feet, a parcel of land varying uniformly from thirty five (35) feet to forty (40) feet in width lying on the right and adjacent to the above last described centerline; thence continuing along said centerline and in said direction a distance of forty eight and five tenth (48.5) feet; thence continuing along said centerline and in said direction a distance of one hundred fifty one and five tenths (151.5) feet, a parcel of land varying uniformly from forty (40) feet to thirty five (35) feet in width lying on the right and adjacent to the above last two (2) described centerlines, also a parcel of land varying uniformly from forty (40) feet to thirty five (35) feet in width lying on the left and adjacent to the above last described centerline; thence continuing along said centerline and in said direction a distance of thirty eight and six tenths (38.6) feet to the point of curvature of a two (2) degree, thirty (30) minute curve to the right; thence continuing along said centerline and on said two (2) degree, thirty (30) minute right curve a distance of one thousand one hundred twenty eight (1128.0) feet to the point of tangency of said two (2) degree, thirty (30) minute right curve; thence continuing along said centerline North twenty eight (28) degrees, twenty (12) minutes east a distance of six hundred twenty and five tenths (620.5) feet to the point of curvature of a two (2) degree, fifteen (15) minute curve to the left; thence continuing along said centerline and on said two (2) degree, fifteen (15) minute left curve a distance of two hundred twenty nine and four tenths (229.4) feet a strip of land seventy (70) feet in width lying thirty five (35) feet on each side and adjacent to the above last four (4) discribed centerlines.

The above described parcel of land being right of way necessary for the construction of the proposed highway improvement and containing four (4.0) acres, more or less.

And it is further found that three disinterested freeholders of said county should be appointed as appraisers to view said real estate and assess the damages, if any, to which defendants may be entitled.

It is therefore ordered that said real estate as above described should be, and is, hereby condemned for uses and purposes as described in the complaint and Otto Lowe, Horace Ballard and Leoderous L. Pike, three disinterested freeholders of Hendricks County, Indiana, are now appointed to assess the damages and benefits, if any, which said Claude H. Robbins and Bettie Robbins, defendants herein, respectively, may sustain by reason of the highway improvement as proposed in said complaint, and said appraisers are now ordered and directed to meet in a body at the office of the clerk of this court on the 1st day of April, 1942, at 9 o'clock A. M., on said date, and after being duly sworn by said clerk according to law, and after having been instructed by the court as to their duties, to proceed in a body to the premises of said defendants and view the strips of land to be condemned and to file their reports as to each tract of land condemned owned by defendants respectively as set out in the complaint with the clerk of said Court on or before the ___day of _____, 1942, at _____ o'clock, _____,/. on said date.

It is further ordered that the clerk shall issue to said appraisers a certified copy of this order, which shall be their warrant and upon which they shall proceed to assess said damages and benefits, if any, and to report to said Clerk as aforesaid.

Dated March 27, 1942

LILLIE SCALF)
VS) # 16621
ELECTRIC BUILDING COMPANY INC.,)
ET AL., ETC.)

Comes now the Clerk of Marion County Superior Court, and files transcript and papers on change of venue from Marion County, which transcript and papers are 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 L. Hanna, Judge.

Saturday Morning, March 28th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

PAUL H. RICHARDSON)
VS) # 16493
GILBERT HAHN, AND)
MARIE HAHN.)

Comes now the defendant, Marie Hahn, and files motion for change of venue from Hendricks County, Indiana, which motion is in the words and figures following, to-wit: (H.I.). The Court being duly advised, now sustains said motion.

Come now the parties, and file stipulation, agreeing that this cause be venued to Marion County, Indiana, to the Marion Superior Court Room No. 4, Marion County, Indiana, which stipulation is in the words and figures following, to-wit: (H.I.).

The Court now orders that cause be venued to Marion Superior Court Room 4 all as agreed to do by the parties herein, and ten days are given to perfect said change.

ELMER C. HORNADAY)
VS) # 15977 Judgt. vs Pltf. for for $6.00 Per Week.
MARTHA HORNADAY) J. D. 18, Page 260.

Comes now the plaintiff in person, and by his attorneys, and comes also the defendant, Martha Hornaday, in person, and this cause coming on for hearing before the court, without the intervention of a jury, on the verified petition of the plaintiff for modification of the order and decree of court, heretofore made in this cause, which verified petition is in the following words and figures, to wit: (Here Insert).

And the court, having heard the evidence and being fully advised and informed in the premises, finds that the former order and decree of court should be modified as to the amount to be paid by the plaintiff for support of the minor child, but that in all other matters said order and decree should stand and be in force and effect.

It is therefore adjudged and decreed by the court that the former order and decree of court should be and the same is hereby modified, and it is now ordered and adjudged that the plaintiff pay the sum of $6.00 per week for the support of the minor child, Kenneth Hornaday, and that the first payment of said amount be made on the 4th day of April, 1942, and a like amount shall be thereafterwards paid each week for such support until the further order of the court.

It is further ordered and adjudged that the former order and decree of court shall, except as to the amount of weekly payments to be made for the support of said minor child, remain in full force and effect until the further order of the court.

Ordered and adjudged in open court this 28th day of March, 1942.

LESTER E. SCHENCK)
VS) # 16614 ORDER REQUIRING PAYMENT
ELIZABETH SCHENCK) OF SUPPORT AND SUIT MONEY

Comes now the parties by counsel, and the defendant having filed her application or motion herein asking the court for an order requiring the plaintiff to pay into this court for her use a sufficient sum of money to enable her to defend the suit now pending and to file and prosecute a cross complaint in this action, to pay her attorney,

and for the support of her child, David Lee Schenck during the pendency of said suit; and the court having seen and inspected said petition and motion, and having heard evidence and being duly advised in the premises finds that the relief thereon sought should be granted.

It is therefore ordered by the court that the plaintiff, Lester E. Schenck pay to the Clerk of the Hendricks Circuit Court the sum of Ten ($10.00) Dollars on the 7th day of April and Ten ($10.00) Dollars on the 17th day of April and Ten ($10.00) Dollars on the 27th day of April and a like amount on the respective dates as above indicated thereafter for the support and maintenance of the said David Lee Schenck during the pendancy of this action. Said plaintiff, Lester E. Schenck is further ordered to pay into the Clerk of the Hendricks Circuit Court the sum of Twenty Five ($25.00) Dollars on or before April 20, 1942 and the further sum of Twenty Five ($25.00) Dollars on or before May 20th, 1942 for the defendant's attorney. All of which is finally adjudged and decreed by 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, March 30th, 1942.

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

WILLIAM B. HENDRICKS
Plaintiff
vs
VELCIA PEARL HENDRICKS
Defendant
NUMBER 16438

VELCIA PEARL HENDRICKS
CROSS-COMPLAINANT
VS
WILLIAM B. HENDRICKS
CROSS-DEFENDANT
RULE TO SHOW CAUSE

Velcia Pearl Hendricks having this day filed inthis court her affidavit from which it appears that on the 20th day of December, 1941, an order was entered in this cause whereby the cross-defendant, William B. Hendricks, was ordered to pay into the office of the Clerk of this court, the sum of $5.00 per week for the support and maintainance of the infant child of plaintiff and defendant, David Eugene Hendricks, and further showing that said cross-defendant has failed to comply with said order and that there is now due from him the sum of $50.00, which amount is now due and he has wholly failed to pay.

It is therefore hereby ordered by the court that the said cross-defendant, William B. Hendricks, be, and he is required to appear in this court at 9 o'clock A. M. on the 11th day of April, to show cause, if any he may have, why he should not be attached and punished for contempt of this court.

It is further ordered that a certified copy of the above and foregoing order be delivered to the Sheriff of Marion County to be delivered to, and served upon the defendant, William B. Hendricks at the Diamond Clain Co. 402 Kentucky Ave, Indianapolis Indiana.

Horace L. Hanna
Judge Hendricks Circuit Court

Witness my hand and seal of said court this 30th day of March, 1942.

(SEAL)

Walter E. Hadley,
Clerk Hendricks Circuit Court.

BEN SACKS, ETC.
VS
USED CAR FINANCE CO.,
ETC., ET AL.
16307

Come now the parties, and the plaintiff moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs paid.

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

Monday, March 30th, 1942, and the 25th day of the March Term, 1942.

BEN SACKS, ETC.)
VS) # 16307
USED CAR FINANCE CO., ETC.,)
ET AL.)

Comes now the plaintiff, and files demurrer to defendants' counter claim ad set off, which demurrer is in the words and figures following, to-wit: (H.I.).

The Court being duly advised, now sustains said plaintiff's demurrer to defendants' counter claim and set off, to which ruling of the Court the defendants separately and severally object and except.

Defendants and reuled to plead over on or before April 6th, 1942. (Cause set for trial April 15th, 1942.)

Jury is called and discharged.

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

Horace L. Hanna, Judge.

Tuesday, March 31st, 1942, and the 26th day of the March Term, 1942.

Tuesday Morning, March 31st, 1942.

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

JUNIA M. AILES, ADMINISTRATOR)
DE BONIS NON OF THE ESTATE OF)
SAMUEL W. AILES, DECEASED.)
VS) # 15682
BURG O. EMMERT)

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

The Court being duly advised, now sustains said motion, and this cause is dismissed, costs 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. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, April 1st, 1942.

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

THE FARMERS BANK)
FRANKFORT, INDIANA)
VS) # 16553
ELIZABETH WATSON)
NOBLE T. WATSON)

All defendants are ruled to answer complaint herein on or before April 15th, 1942.

STEPHEN J. MALONEY, ET AL.)
VS) # 16192
WENDALL R. FUSON, AUDITOR)
HENDRICKS COUNTY, INDIANA, ET AL.)

The defendant is ruled to answer complaint herein on or before April 15th, 1942.

METHODIST HOSPITAL OF)
INDIANA)
VS) # 16555
JESSE F. LASH)

The defendant is ruled to answer complaint herein on or before April 15th, 1942.

OTIS KIRTLEY)
VS) # 16189
PAUL BELL, DOING BUSINESS)
AS THE BELL BARBECUE CO., ET AL.)

Comes now the defendant, Thadious Rogers, and files motion to strike her name from plaintiff's complaint as party defendant, which motion is in the words and figures following, to-wit: (H.I.).

Comes now the plaintiff, and files motion to dismiss this cause of action as to the defendant, Thadious Rogers, 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 premises, now sustains the same, and this cause is dismissed as to the defendant, Thadious Rogers, only.

E. K. CHADURICK)
VS) # 15789
ISAAC SCHENK)
ISAAC J. SCHENK)

Plaintiff is ruled to plead over on or before April 15th, 1942, or fail-so to do, cause will be dismissed at plaintiff's cost.

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY)

Plaintiff is ruled to file amended complaint by April 10th, 1942.

C C Gillen

C. C. Gillen, Special Judge.

STATE OF INDIANA)
VS) #8180
MARTIN LINKMIER)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and files motion to nolle prosequi this cause, which motion is in the words and figures following, to-wit: (H.I.).

Said motion is read aloud in open Court, 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.

EVERETT L. HIGGINS)
VS) # 15839
FRED NEAL) JUDGMENT

This cause having been heretofore set for trial on this date and matter coming on for hearing by the court on the petition of the plaintiff to set aside a certain judgment heretofore rendered against said plaintiff in favor of said defendant on the 19th day of April, 1939 in this cause, (being cause No. 15729) all parties being represented by counsel, the plaintiff, in support of his application submits the verified petition heretofore filed by him in this cause, and the defendant, in opposition thereto, submits the counter affidavit heretofore filed by him in this cause, and neither plaintiff nor defendant offers any oral testimony, and said cause is submitted for finding and judgment.

The court having examined said sworn petition and counter affidavit and being duly advised in the premises finds for the defendant on said issue and that said judgment should not be set aside.

It is, therefore, considered, ordered, adjudged, and decreed by the court that said judgment shall stand, that the prayer of plaintiff's petition be denied and that the costs of this action be assessed against said plaintiff, to which judgment of the court plaintiff at the time objects and excepts, and exceptions are granted.

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 2nd, 1942.

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

STATE OF INDIANA)
VS) # 16603
EMMA HAYNES)
ERNEST HAYNES)

Come now the defendants, by counsel, and files objections, which objections are in the words and figures following, to-wit: (H.I.).

BEATRICE WALSH)
VS) # 15759
LIDA H. WALSH)
THOMAS H. WALSH)

The defendants are ruled to answer complaint herein on or before April 15th, 1942.

STATE OF INDIANA)
VS) # 8218 Judgt. vs Deft. for $10.00 Fine & Costs.
FRANK WETHINGTON) J. D. 18, Page 261.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and said defendant pleads not guilty of disorderly conduct.

The Court fixes the defendant's bond at $500.00.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Frank Wethington, and now the defendant asks leave to withdraw his plea of not guilty and to enter his plea of guilty. The Court being duly advised, now grants said leave, and the defendant pleads guilty of disorderly conduct.

It is, therefore, adjudged by the Court, that said defendant, Frank Wethington, for the offense by him committed shall be and he is fined ten dollars, and that he shall pay the costs of this action, taxed at _____dollars and_____ cents.

JOHN T. O'CONNELL, ETC.)
VS) # 16624
PHILLIP J. CAITO, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion County, Indiana, which transcript and papers are in the words and figures following, to-wt: (H.I.).

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 3rd, 1942.

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

MARY E. MARTIN)
VS) # 16520.
EMERALD MARTIN)
SADIE MARTIN)

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

All defendants are ruled to answer second amended complaint on or before April 15th, 1942.

CLAYTON HARDWARE & LUMBER)
COMPANY, INC.)
VS) # 16585
BEN STULL, ET AL.)

Comes now the plaintiff, and files motion to dismiss this cause, costs on dismissal having heretofore been paid, 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 premises, now sustains the same, and this cause is dismissed, costs paid.

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

STATE OF INDIANA, on the relation)
of RALPH K. LOWDER,)
VS) # 16437 Judgt. vs Deft. for $200.00 Atty Fee & Costs.
GEORGE E. CLAWSON) E N T R Y J. D. 18, Page 261.

Come now the parties, the relator in person and by his attorneys, and the defendant in person and by his attorneys, and the defendant before the beginning of the trial of this cause having filed his written request for a special finding of facts and conclusions of law thereon, and the court having heretofore seen and heard the evidence and being fully advised, now signs and files its special finding of facts in the above entitled cause, and also states four conclusions of law on said finding, and the defendant at the time objects and excepts to said conclusions of law, and each of said conclusions so stated numbered 1, 2, 3 and 4, and each of said conclusions separately and severally, and now at the time endorses upon said conclusions of law said exceptions, which said exceptions are dated and signed by the defendant through his counsel; and now the court allows said exceptions, and each of said exceptions separately and severally, to each of said conclusions of law, which said findings of fact, conclusions of law, and the exceptions so taken and signed, are on in words and figures as follows:

STATE OF INDIANA) IN THE HENDRICKS CIRCUIT COURT
) SS:
HENDRICKS COUNTY) MARCH TERM, 1942.

STATE OF INDIANA, on the) No. 16437
relation of RALPH K. LOWDER)

vs.) COURT'S SPECIAL FINDING OF FACTS
)
GEORGE E. CLAWSON) AND CONCLUSIONS OF LAW.

The defendant, before the beginning of the trial herein, having requested the Court to find the facts specially and state its conclusions of law thereon, the Court now finds the facts specially as follows:

1. The Relator, Ralph K. Lowder, is now and was on the date of filing the complaint in this cause, a citizen of Morgan County, Indiana.

2. The defendant, George E. Clawson, on the date of filing the said action, did not have a license to engage in the practice of medicine in any form as defined in the statutes of the State of Indiana, and does not now have such a license.

3. The defendant, on the date of filing the said complaint, and for several years prior thereto, engaged in the following activities: He would hold the hands of people who came to him suffering from injury or disease, then would rub their arms and their legs from the knees down, then after they had lain upon their stomachs upon a table he had provided for that purpose, he would rub and pat their backs and shoulders and their thighs - all of which he did in an attempt to heal, cure or relieve them. For such service he regularly charged a fee. He called that service a treatment.

4. The defendant began engaging in the activities described in the preceding finding in his own home, and then later constructed a large two-story building as a place in which to carry on said activities for profits. There was a furnace room and coal room in the basement. There was an entrance and waiting room on the first floor. Four other rooms opened into the waiting room. The defendant and four other people, whom he had brought into the same business, worked in these four rooms. In the waiting room was a receptionist to meet people who came into to obtain the above described services of the defendant. When a person came in, the receptionist would collect the fee for treatment, ring it up on the cash register, and give the person a number. When that number was called, the person would go from the waiting room into one of the four other rooms for the treatment. The receptionist and the other people who worked in the big building referred to the defendant as "Dr. George Clawson", or "Dr. George", or "Dr. Clawson", The receptionist generally wore a nurse's uniform. The defendant and his associates generally wore doctor's coats such as are genemally worn by doctors in their offices. The facts stated in this finding constituted the opening of an office to practice medicine and the announcing to the public of a readiness to practice.

5. The defendant had business cards placed in the rooms where his business was carried on so that people who come for his services could see the cards and take them. Some of the cards had the words "Doctor" and "Magnetic" on them. Some had the letters "Dr." and the word "Magnetic". These cards were in such use by the defendant on the date on which this action was begun, and had been in such use for at least about a year prior thereto. The obtaining and the use of the cards in the manner stated in this finding constituted the use of the words and letters "Doctor", "Dr.", and "Magnetic", in connection with the name of the defendant to imply or designate him as a practitioner of medicine.

6. The defendant kept a list of the patients who came to him for treatments. After this action had been brought and after the defendant had been tried in Criminal Court on a charge of violating the Medical Practice Act and a verdict had been returned against him, some time in February or March, 1941, he sent letters to the patients whose names he had on his office list. In these letters he stated that his patients should continue to come just as if no action had been taken. He stated that he meant by that letter

that he would continue working just the same as he had been before, and in this manner established that he would continue the same type of practice hereinabove described unless enjoined therefrom.

7. That the Relator employed counsel to bring this action and a reasonable fee for Relator's counsel is the sum of $200.00, for services for the bringing, the preparation and trial of this cause in the trial court.

Horace L. Hanna

Judge of Hendricks Circuit Court.

CONCLUSIONS OF LAW.

The Court, having found and stated the facts specially in the above cause of action, it now states its conclusions of law thereon, as follows:

1. That the law is with the plaintiff.

2. That the defendant engaged in the practice of medicine, as defined in the statute, without having a license to do so, on September 13, 1940, and for several years prior thereto.

3. That the defendant should be enjoined from engaging in the practice of medicine until a license to practice is secured.

4. That the plaintiff is entitled to recover judgment for attorney fees in the sum of $200.00, for services for the bringing, the preparation and trial of this cause in the trial court, and for his costs in this case.

Horace L. Hanna

Judge of Hendricks Circuit Court.

The defendant, George E Clawson, at the time now excepts to the Court's conclusions of law as above stated, and numbered 1-2-3 and 4, and as to each of said conclusions of law, separately and severally.

George E Clawson

Dated and signed this 3d day of April, 1942.

by Silas C Kivett, Attorney

And the court now being further advised renders judgment on said conclusions of law.

It is, therefore, ordered, adjudged and decreed by the court that the defendant, George E. Clawson, engaged in the practice of medicine, as defined in the statute, without having a license to do so, on September 13, 1940, and for several years prior thereto.

It is further ordered, adjudged, and decreed by the court that said defendant, George E. Clawson, be, and he is hereby, enjoined from engaging in the practice of medicine until a license to so practice medicine is secured.

It is further ordered, adjudged, and decreed by the court that the plaintiff have and recover of and from the defendant the sum of Two Hundred ($200.00) Dollars for attorneys fees for the services for the bringing, the preparation and trial of this cause in the trial court against said defendant, George E. Clawson, and that the defendant, George E. Clawson, pay the costsof this action taxed at $_____Dollars.

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED BY THE COURT.

Dated this 3rd day of April, 1942.

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 4th, 1942.

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

LITZELMAN & MORRISON)
VS) # 16594
THE STUDEBAKER CORPORATION)

Come now the parties, and oral argument is had on defendant's demurrer to plaintiff's complaint, and the Court takes ruling under advisement.

HELEN WILLIAMS)
VS) # 16560
BLUE RIDGE CORPORATION)

The defendant is ruled to answer complaint herein on or before April 10th, 1942.

MINNIE BOURNE)
VS) # 16274
LENA SHARTLE)

Comes now the defendant, and files motion to require plaintiff to make amended complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

The Court being duly advised, now overrules the defendant's motion to make amended complaint more specific, to which ruling of the Court the defendant objects and excepts.

The defendant is ruled to answer complaint herein on or before April 18th, 1942.

CARRIE GLASS)
VS) Cause No. 16505. ENTRY AND NOTICE.
WILLIAM F. GLASS)

Comes now the defendant, William F. Glass, and presents and files his verified petition and application for the modification of the former order of court in so far as it relates to the amount required therein to be paid for care and support of the minor child, William D. Glass, and also asking that Mrs. Emma Herrmann, who was awarded the care and custody of said minor child in such former order of court, be made a party to this proceeding for such modification, which verified petition is in the following words and figures, to wit: (Here Insert). And the court, having inspected such application and verified petition, and being duly advised and informed in the premises, finds that it is necessary and proper that Mrs. Emma Herrmann be made a party to this proceeding, and the court so orders.

It is therefore adjudged by the court that notice be given to the plaintiff, Carrie Glass, and to Mrs. Emma Herrman of the presenting and filing of the verified application and petition of the defendant, William F. Glass, to modify the former order of court as to the amount which should be paid for the care and support of the minor child, William D. Glass, and that such application and petition will be heard by the court at Danville, Indiana, on the 17th day of April, 1942, at 2:00 P. M.

Done in open court at Danville, Indiana, this 17th day of April, 1942.

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 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 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 khowledge 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 Apr. 1942, 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 Apr 1942

Witness my hand this 1st day of April, 1942.

Attest Horace L. Hanna
Clerk of the Circuit Court of (Signature) Judge of the Circuit Court
Hendricks County, Indiana of Hendricks County

OATH AND ACCEPTANCE OF OFFICE
OF MEMBER OF COUNTY BOARD OF PUBLIC WELFARE

I, George H. Reitzel, of Brownsburg, Indiana, have 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

Subscribed and sworn to before me this 4" day of April, 1942.

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

HAROLD W. ADAMS)
VS) Cause No. 16561
HELEN L. ADAMS.) DIVORCE DECREE.

Comes now the above named plaintiff, Harold W. Adams, in person and by counsel, and shows to the court the writ of summons issued herein to the Sheriff of Marion County, Indiana, for the above named defendant to appear in the Hendricks Circuit Court on the 29th day of January, 1942, and also the return of said sheriff endorsed thereon, which writ of summons and the return thereon are in the following words and figures, to wit: (Here Insert), from which it appears to the satisfaction of the court that the defendant, Helen L. Adams, was notified of the filing of the plaintiff's complaint herein more than ten days before the return day fixed by endorsement on such complaint; and it further appearing to the court that more than sixty days have elapsed since said defendant was served with such writ of summons it now assumes jurisdiction of this cause for the purposes of trial, finding, judgment and decree.

And now this cause coming on for hearing before the court, 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 appears in behalf of said defendant and defends this cause.

And this cause, being at issue on the complaint and the default of the defendant, is submitted to the court for adjudication and trial upon motion of the plaintiff.

And the court, having heard the evidence and being fully advised and informed in the premises, finds that the plaintiff is entitled to a divorce from the defendant for the reasons and on the grounds set forth and alleged in his complaint filed herein.

The court further finds that there are two minor children born to the plaintiff and defendant as a result of such marriage, as follows: Carolyn J. Adams, who was 12 years of age on the 13th day of August, 1941, and John R. Adams, who was 14 years of age on the 9th day of May, 1941, and the court finds that the custody of said minor children should be given to the mother, Helen L. Adams, the defendant herein, and that the plaintiff should be given the right and privilege of seeing and visiting with said minor children at all reasonable times.

The court further finds that the plaintiff should pay a reasonable sum for the support of said minor children, and also 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 set aside and dissolved, and the plaintiff is now hereby granted an absolute divorce from the defendant.

It is further ordered and adjudged by the court that the custody of the minor children, hereinbefore named, be given to the defendant, Helen L. Adams, their mother, until the further order of the court.

It is also further ordered and adjudged that the plaintiff, Harold W. Adams, their father, shall pay the sum of $10.00 weekly for the support of said minor children until the further order of the court; that such payments shall be made direct to the mother of said children, and that the first payment shall be made on the 11th day of April, 1942, and on each weekly interval thereafter until the further order of the court.

It is further adjudged by the court that the plaintiff be and he is hereby given the right and privilege of seeing and visiting said children at all reasonable times, and that such times be during the week-end of every other week, if desired by the plaintiff.

It is ordered and adjudged that the plaintiff pay the costs of this action.

Dated April 4th, 1942.
Danville, Indiana.

ALMA DALE)
VS) # 16566 DECREE OF DIVORCE. Judgt. vs Pltf. for Costs.
WILLIAM I. DALE) J. D. 18, Page 261.

Comes now the plaintiff by counsel, and it appearing to the satisfaction of the court, by the notice and proof of publication herein, which said notice and proof of publication are in the words and figures as follows, to wit: (HI), that the defendant has been duly notified of the pendency of this action by three successive publications

in the Danville Gazette, a weekly newspaper of general circulation, printed and published in the town of Danville, county of Hendricks, state of Indiana, the last of which said publications was made more than 30 days before the twenty-first day of March, 1942, the same being the return day indorsed on plaintiff complaint herein.

And now said defendant, being three times audibly called in open court, comes not, but herein wholly makes default. 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 her 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 between plaintiff and defendant herein be, and they are hereby, dissolved and the plaintiff is hereby granted a divorce from defendant.

It is further ordered by the court that the plaintiff pay the costs of this action taxed in_____dollars.

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

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday, April 6th, 1942, and the 31st day of the March Term, 1942.
Monday Morning, April 6th, 1942.

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

PENSION FUND OF)
DISCIPLES OF CHRIST)
VS) # 16249
CHARLES F. TUCKER, ET AL.)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said affidavit and motion and being sufficiently advised in its premises, now sustains the same.

THE BOARD OF COMMISSIONERS)
OF THE COUNTY OF HENDRICKS)
VS) # 16608
CLAUDE H. ROBBINS)
BETTIE ROBBINS)

Come now Otto Lowe, L. L. Pike and Horace Ballard, heretofore appointed as appraisers herein, and file their oath and duly qualify as such appraisers, which oath is in the words and figures following, to-wit: (H.I.), and now appear before the Court and are duly instructed by the Court as to their duties herein, and which instructions are in the following words and figures, to-wit: (H.I.).

And now said appraisers proceed in a body to view said real estate and to perform their duties, all as provided by law and under the instructions of this Court.

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

Tuesday, April 7th, 1942, and the 32nd day of the March Term, 1942.

Tuesday Morning, April 7th, 1942.

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

JOHN R. SOMMERS)
VS) # 16384
LAFE MURPHY)

Comes now the attorney for the plaintiff, Samuel J. Kagan, and files affidavit that the plaintiff herein is now in the armed service of the United State of America, and requests that this cause be suspended until such time, when this plaintiff shall be able to testify in his own behalf, which affidavit is in the words and figures following, to-wit: (H.I.).

The Court being sufficiently advised in its premises, now grants said request, and cause is continued.

MARGARET MARY LARSH)
VS) # 16627
CHARLES RUSSELL LARSH)

Comes now the plaintiff, and files verified petition for order to defendant to pay suit money and for support, which petition is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said petition, notice is now ordered issued to the Sheriff of Hendricks County, Indiana, to be served on the defendant, returnable April 20th, 1942, at 9:00 o'clock A. M.

GEORGE PADGETT)
VS) # 16628
RED CAB COMPANY INC. and)
HAROLD FLAKE)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are 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, April 8th, 1942.

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

GRACE E. ELAM)
VS) # 16626
BEN ELAM)

Comes now the plaintiff, and files verified petition for maintenance, support and for attorney fee, which petition is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said petition, notice is ordered issued to the Sheriff of Hendricks County, Indiana, returnable same date as summons issued in this cause, April 18th, 1942.

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 9th, 1942.

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 10th, 1942.

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

JOSEPH E. HARDIN)
VS) # 16343
BERT SOUDER)
CHARLES S. RAUH)

Comes now the plaintiff, and files and dismisses this action as to each of the defendants herein, the costs on dismissal having heretofore been paid, which is in the words and figures following, to-wit: (H.I.), and this action is now dismissed without judgment and with prejudice to the commencement of another action by the plaintiff upon the same ground.

STATE OF INDIANA, EX REL,)
CHARLES L. PEGGS, ET AL.)
VS) # 16470
WILLIAM RAY RAINWATER, ET AL,)

Comes now the plaintiff, and tenders and files its special finding of facts and conclusions of law thereon, and which special finding of facts and conclusions of law are in the following words and figures, to-wit: (H.I.).

Come now the defendants, and tender and file their special finding of facts and conclusions of law thereon, and which special finding of facts and conclusions of law are in the following words and figures, to-wit: (H.I.).

Court takes matter under advisement.

STATE OF INDIANA)
VS) # 8219
SCOTT HENRY)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Scott Henry, in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty.

The Court fixes bond of said defendant at five thousand dollars.

The defendant also states to the Court that he has not funds or property with which to employ an attorney to defendant him. The Court upon investigation, finds that said defendant has no property or funds with which to employ an attorney, and now appoints Charles V. Sears, attorney, at this bar as attorney for said defendant.

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 11th, 1942.

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

E. RAUH & SONS FERTILIZER CO.)
VS) # 16597
R. S. COOPER, WHOSE CHRISTIAN)
NAME IS UNKNOWN.)

The defendant is ruled to answer on or before April 22nd, 1942.

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAILROAD)
COMPANY, ET AL.)

Come now the defendants, The New York Central Railroad Company and The Indiana Union Railway Company, and each separately and severally file motion for a new trial, and state reasons therefor, together with affidavit of Paul N. Roe, which motion for new trial and affidavit are in the words and figures following, to-wit: (H.I.).

Defendants request oral argument.

STATE OF INDIANA)
VS) # 16603
EMMA HAYNES)
ERNEST HAYNES)

Comes now the plaintiff, and moves that Luke Trent be made a party defendant. The Court being sufficiently advised, now sustains said motion, and Luke Trent is made a party defendant.

Comes now the defendant, Luke Trent, and waives notice of summons herein, and Otis E. Gulley enters his appearance for said defendant, Luke Trent.

Plaintiff files motion to strike out the objections filed April 1st, 1942, by the defendant, Emma Haynes and Ernest Haynes.

Come now the parties, and oral argument is had on plaintiff's motion to strike out objections. The Court being duly advised, now sustains plaintiff's motion to strike out defendants' objections, to which ruling of the Court the defendants separately and severally object and except.

THE BOARD OF COMMISSIONERS)
OF THE COUNTY OF HENDRICKS)
VS) # 16608
CLAUDE H. ROBBINS)
BETTIE ROBBINS)

Comes now the appraisers heretofore appointed herein and file in the office of the Clerk of this Court their reports of appraisement herein as follows: (Here insert)

And the Judge of the Court having examined said reports and

being sufficiently advised in the premises now approves said reports and orders that said reports be made a part of the record of this cause.

And it is now ordered that a fee of $15.00 be taxed for each of said appraisers to be paid by the plaintiff as a part of the costs of this cause.

It is further ordered that upon the payment, within the time prescribed by law, to the Clerk of this Court for the use of the defendants, Claude H. Robbins and Bettie Robbins, the sum of $2076.90, the amount of said damages as assessed by said appraisers, it shall be lawful for the plaintiff to take possession of and hold the interest in the lands of the defendants, appropriated herein for the uses stated in the complaint herein.

Dated April 11, 1942.

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 13th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA, EX REL)
LUTHER SYMONS, BANK COM.)
VS) 13635
HUNTER BANK OF BROWNSBURG,)
INDIANA.)

Comes now the receiver, and files notice and proof of publication of the filing of final reports given in the Hendricks County Republican, which notice and proof of publication thereof is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 8220
LEE WILLIAMS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Lee Williams, in his own proper person, and said defendant is duly arraigned in open Court and said defendant pleads guilty to count one of said affidavit.

Court withholds judgment on count one at this time.

Said defendant pleads not guilty to count two of said affidavit.

Court fixes bond at $200.00.

DORA M. PARSON)
VS) # 16572
CARL PRESSLER)

Comes now the defendant, and the transcript failing to show the filing of the amended second paragraph of answer in the Morgan Circuit Court, the defendant now files amended second paragraph of answer, which amended second paragraph of answer is in the words and figures following, to-wit: (H.I.).

Plaintiff is ruled to reply to defendant's second paragraph of answer April 23rd, 1942.

JAMES D. MARTIN)
VS) # 15610 Judgt. vs Pltf. for Costs.
MARGUERITE FRANCES MARTIN) J. D. 18, Page 262.

This action now having been duly reached on the calendar, 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, James D. Martin, is ordered to pay the costs of this action, taxed at _____ dollars and _____cents.

Monday, April 13th, 1942, and the 37th day of the March Term, 1942.

IDA LA FOLLETTE)
VS) # 16382 Judgt. vs Pltf. for Costs.
GUS LA FOLLETTE) J. D. 18, Page 262.

This action now having been reached on the calendar 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, Ida La Follette, is ordered to pay the costs of this action, taxed at _____ dollars and _____cents.

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY)

Comes now the plaintiff, and files amended complaint is in the following words and figures, to-wit: (H.I.).

The defendant is ruled to answer amended complaint on or before April 23rd, 1942.

C. C. Gillen

C. C. Gillen, 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, April 14th, 1942, and the 37th day of the March Term, 192 .

Tuesday Morning, April 14th, 1942.

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

PEARL D. FRAKES, SINGLE, ET AL.)
VS) # 16623
FANNIE DYER, WIFE OF PLAINTIFF,)
WAYNE DYER, ET AL.)

Comes now the defendant, Indiana Bell Telephone Company, and files answer to plaintiff's complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

LESTER E. SCHENCK)
VS) # 16614
ELIZABETH SCHENCK)

Come now the parties, and hearing is had on the restraining order, and the Court orders the defendant not to dispose of the automobile now in his possession nor to further incumber the same until the final disposition of this cause.

MARY FAIRFIELD)
VS) # 16223 Judgt. vs Pltf. for Costs.
ARTHUR E. FAIRFIELD) J. D. 18, Page 262.

The Court being informed that the above parties are now reconciled and living together as husband and wife, the Court of its own motion, dismisses this cause 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, Mary Fairfield, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

FARMERS HATCHERY AND)
SUPPLY CO., INC.)
VS) # 16387 Judgt. vs Deft. for Costs
GLADYS McCARTY) J. D. 18, Page 263.

Come now the parties, and this cause is now dismissed by agreement of parties at the cost of the defendant.

The Court now dismisses this cause and the cost of the defendant.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the defendant, Gladys McCarty, is ordered to pay the costs of this action, taxed at _____dollars and _____ cents.

JAMES F. ROBINSON)
VS) # 16480 Judgt. vs Pltf. for Costs.
H. C. BROADSTREET, ETC., ET AL.) J. D. 18, Page 263.

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

The Court being sufficiently 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, James F. Robinson is ordered to 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, April 15th, 1942.

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

JAMES HANNERS)
VS) # 16339
WILEY DORSETT)

Comes now the plaintiff, and files motion to dismiss this cause at the cost of the defendant, the costs on dismissal having heretofore been paid, 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 premises, now sustains the same, and this cause is dismissed, costs paid.

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

WILLIAM A. ENGLES, JR., BY)
HIS NEXT FRIEND WILLIAM A.)
ENGLES, SR.)
VS) # 16342
WILEY DORSETT)

Comes now the plaintiff, and files motion to dismiss, without judgment and with prejudice against bringing another action for the same cause, the costs on dismissal having heretofore been paid, 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 premises, now sustains said motion and this cause is dismissed as stated above, costs paid.

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

MARGUERITE R. KRAMER)
VS) # 16633
ASA E. KRAMER)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from Marion County, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 16th, 1942.

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

HELEN WILLIAMS)
VS) # 16560
BLUE RIDGE CORPORATION)

Comes now the defendant, by special appearance only, files motion to quash the return of Sheriff on summons issued herein, which motion is in the words and figures following, to-wit: (H.I.).

THE FARMERS BANK)
FRANKFORT, INDIANA)
VS) # 16553
ELIZABETH WATSON)
NOBLE T. WATSON)

Come now the defendants, and file answer to plaintiff's complaint herein, which answer is in the following words and figures, to-wit: (H.I.).

LILLIE McWHORTER)
VS) # 16635
SUBURBAN LINES)
INC., A CORPORATION)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

BERTHA R. PARKS)
VS) # 16589 DECREE FOR DIVORCE Judgt. vs Deft. for Costs.
RAYMOND PARKS) J. D. 18, Page 264.

Comes now the plaintiff in person and by counsel and comes now the defendant by counsel and it appearing to the court that the defendant has been duly served with process more than ten days before the day of which the summons herein was made returnable and it appearing also that more than sixty days have elapsed since the filing of said cause of action and the issuing of process thereon 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 therein alleged. The court further finds the said plaintiff is a suitable and proper person to have the care, custody and control of the children named in her said complaint, and that the plaintiff is entitled to an allowance for the maintenance and support of said children.

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 said plaintiff is hereby granted a divorce from said defendant.

It is further considered and ordered by the court that the plaintiff have the care, custody and control of the following named children: Mary Alice, age eight

and Ronald Ray, age six, until the further order of this court. It is further ordered that said defendant may visit said children and have said children visit him at any reasonable time and under reasonable conditions. It is ordered, however, that during the school year said children be kept together and sent to the same school by the plaintiff herein, and it is further ordered by the court that the defendant pay to the plaintiff for the support of said children the following sums:

That until school is out in Clayton, which is on or about May 1, 1942, while Mary Alice is staying with her father, that the payments for the support of Ronald Ray shall be five dollars per week, that after said school is out in Clayton, that both children shall be in custody of the plaintiff and the defendant shall pay eight eight dollars per week for the support of the two children until September 1, 1942, and thereafter said defendant shall pay to the plaintiff the sum of ten dollars per week for the support and maintenance of said children until further order of the court. In the event said children, or either of them, stay with their father for as much as a week at a time, said defendant shall not be required to pay to the plaintiff the payment for support during such period.

It is further considered and adjudged by the court that the plaintiff recover of defendant her costs, which costs have been paid, all of which is ordered, adjudged and decreed this 16th day of April 1942.

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 17th, 1942.

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

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

IN THE HENDRICKS CIRCUIT COURT
MARCH TERM, 1942.

STATE EX REL CHARLES L. PEGGS, et al
vs
WILLIAM RAY RAINWATER, et al

No. 16470.

SPECIAL FINDINGS OF FACT AND CONCLUSIONS OF LAW.

The Court, at the request of the Relators, makes the following findings of facts in this cause and states conclusions of law as follows:

The Court finds the facts to be:

1. That this action is brought by the State of Indiana on the Relation of Charles L. Peggs, Dolph W. Scott, Ora S. Kirby and Ray Kirby.

2. That the defendant, William Ray Rainwater, was from January 1, 1939, to the present time, the duly elected, qualified and acting Sheriff of Morgan County, Indiana.

3. That the defendant, Globe Indemnity Company, was duly authorized to do business as a surety upon the official bonds of officers in the State of Indiana.

4. That the defendant, Globe Indemnity Company, is surety in the sum of $5,000.00 upon the official bond of the defendant, William Ray Rainwater, and that such bond was duly approved and filed as provided by law and was at all times mentioned herein, in full forace and effect, and that said bond is in the words and figures as set out in Relator's Exhibit "A".

5. That the Relators, Charles L. Peggs, Dolph W. Scott, Ora S. Kirby and Ray Kirby, have, hold and own a judgment in the sum of $264.80 against Henry Johnson, which said judgment was rendered by the Morgan Circuit Court in Cause No. 19705 on March 26, 1935, and that interest accrues thereon, at the rate of 6% per annum and that there is due on said judgment as of this date the sum of $_____.

6. That one J. L. Payne recovered a judgment against H. C. Johnson on March 27, 1939, in the sum of $203.40 and costs in the Morgan Circuit Court, Cause No. 21317.

7. That on February 10, 1939, Henry Clay Johnson did grant, bargain, sell, convey and mortgage to the United States of America, his wife, Mary Johnson, joining therein, any and all of his personal property consisting of horses, cows, hogs, pigs, chickens, growing crops, feed, produce, automobile, farming tools, small tools, dairy equipment, and household goods, and that said mortgage was given to secure the payment of the sum of $1161.00, which said sum represented indebtedness due and owing the United States of America by the said Henry Clay Johnson. That said mortgage was duly filed for record in the Office of the Recorder of Morgan County, Indiana, the County in which the said Henry Clay Johnson then and there resided and continued to reside during all times mentioned in these findings. That said mortgage created a valid and subsisting lien upon the property therein described, being all the property of said Henry Clay Johnson, and that the same continued in full force and effect at all times mentioned in these findings.

8. That the said Henry Clay Johnson, Henry Johnson, and H. C. Johnson is one and the same person and was at all times mentioned herein a resident householder of Morgan County, Indiana.

9. That the judgment of said Relators was rendered upon a contractual obligation.

10. That on October 10, 1940, the Relators caused an execution to issue on their said judgment and that the same was placed in the hands of the defendant Rainwater as Sheriff for service, and that the Relators did not direct said defendant not to levy upon or sell the property of said Henry C. Johnson.

11. That on the 15th day of October, 1940, J. L. Payne caused an execution to issue on his said judgment and the same was placed in the hands of the defendant Rainwater for service.

12. That said Henry Johnson did on or about the 15th day of October, 1940, hold a public sale of the property mortgaged by him to the United States of America. That prior to such sale, he had discussed such sale with one Isom Ferris, who was the County Supervisor for the Farm Security Administration through which agency said loan was made by the United States of America, and that he was informed by said County Supervisor that it would be all right for him to have such sale if he would place the proceeds thereof with the said Farm Security Administration for credit on said mortgage to the United States of America. That no written consent was given by the United States of America for said sale.

13. That said Henry Johnson realized from said sale the sum of $1075.64.

14. That on the 15th day of October, 1940, the proceeds of such sale were seized by the defendant Rainwater as Sheriff of Morgan County, and he kept said proceeds in his possession until the 19th day of October, 1940, at which time he was ordered by the Morgan Circuit Court in proceeding supplementary to execution to pay the judgment of J. L. Payne and pay the balance, to-wit: $853.94 to Henry Johnson, which said Sheriff did and made his return accordingly.

15. That in the proceeding supplementary to execution to pay the judgment of J. L. Payne, the United States of America, who at that time held said Chattel Mortgage on said personal property, were not made a party defendant to said proceeding and had no notice of any kind of said proceeding, nor did the Relators herein have any notice of said proceeding.

16. That on October 21, 1940, said Henry Johnson filed his schedule with the defendant Rainwater as Sheriff of Morgan County, Indiana, claiming all property he owned as exempt from execution; and the Court now finds that on said date and at all times mentioned herein, said Henry Johnson was wholly insolvent and had no property subject to execution.

17. That said Johnson paid to the United States of America said sum of $853.92 in liquidation of the debt secured by said chattel mortgage and a previous payment of $129.00, making a total payment of $982.94, and that the balance of said indebtedness, together with interest thereon, is still due and owing to the United States of America.

18. That said mortgage to the United States of America has never been released and that the same was and is at all times mentioned herein, a valid lien upon any and all personal property of said Henry Johnson.

19. That said chattel mortgage to the United States of America provides among other things as follows: that said "mortgagors will not sell, remove or encumber the property hereby mortgaged, or suffer others to do so, without the written consent of the mortgagee", and that said mortgage provided further: "the proceeds received by the mortgagee in any sale or for any property herein mortgaged shall be applied in discharge of any debts secured hereby and/or any other liens, charges or encumbrances upon such property or proceeds and the surplus, if any, shall be paid to the mortgagors."

20. That the United States of America did not waive the lien of its said mortgage or consent to the sale of said property.

Dated this 17th day of April, 1942

Horace L. Hanna

Judge Hendricks Circuit Court.

CONCLUSIONS OF LAW

Upon the foregoing facts, the Court states the following as its conclusions of law:

1. That the law is with the defendants.

2. That the Relators should take nothing by their suit.

3. That the defendants are entitled to recover judgment for their costs in this action laid out and expended and taxed in the sum of $_____.

Dated this 17th day of April, 1942

Horace L. Hanna

Judge Hendricks Circuit Court.

Come now the relators and file motion to include in the special findings of fact certain omissions of fact, which motion is in the following words and figures, to-wit:

STATE OF INDIANA)
COUNTY OF HENDRICKS) SS:

IN THE HENDRICKS CIRCUIT COURT

MARCH TERM, 1942

No. 16470

STATE EX REL CHARLES L. PEGGS, et al,)
vs.)
WILLIAM RAY RAINWATER, et al.)

MOTION OF RELATORS TO INCLUDE IN SPECIAL FINDINGS OF FACT CERTAIN OMISSIONS

The above-named relators hereby move the Court to supply in the special findings of fact the following omissions of fact, viz.:

1. That special finding of fact No. 12, or elsewhere, show that the United States of America never intervened in any of the proceedings had in relation to the mortgaged property of Henry Johnson;

2. That under special finding and omission of fact No. 14, or elsewhere, that the Morgan Circuit Court in said cause found"that said personal property was sold by the said H. C. Johnson with the full consent and approval of a certain chattel mortgage and sold free and clear of all liens and encumbrances;"

3. That special finding No. 18, or elsewhere, show that said Henry C. Johnson still has in his possession certain personal property, upon which the United States of America holds a mortgage;

4. That special finding No. 20 show that the United States of America did not waive the lien of its said mortgage, or "give written" consent to the sale of said property;

5. That there be a special finding No. 21, or shown in some other special finding, the following omission: "That the execution on the judgment of relators was a prior lien than the execution on the judgment of J. L. Payne against Henry Johnson."

Othniel Hitch

Attorney for Relators

And now the court overrules said motion to include alleged omissions, and to which ruling of the Court Relators sparately and severally object and except.

Come now the Relators and file joint and several exceptions to the conclusions of law of the Court in the above entitled cause, which exceptions are in the following words and figures, to-wit:

STATE OF INDIANA)
COUNTY OF HENDRICKS) SS:

IN THE HENDRICKS CIRCUIT COURT

MARCH TERM, 1942

No. 16470

STATE EX REL CHARLES L. PEGGS, et al.)
vs.)
WILLIAM RAY RAINWATER, et al)

EXCEPTIONS TO CONCLUSIONS OF LAW

Comes now the above-named relators and each jointly and severally except to the conclusions of law of the Court in the above-entitled cause in each of the following particulars:

1. That they except to the Court's conclusion of law No. 1.

2. That they except to the Court's conclusion of law No. 2.

3. That they except to the Court's conclusion of law No. 3.

Othniel Hitch

Attorneys for Relators

GRAND JURY EMPANELLED FOR THE MARCH TERM, 1942.

The Clerk of this Court is ordered to issue for the within named grand-jurors to appear on Monday, April 20th, 1942, at 9:00 o'clock A. M., for jury service.

STATE OF INDIANA)
VS) # 8221
JAMES OLMSTEAD)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty of uttering forged check.

The Court fixes bond at five hundred dollars.

GLEN BRADY)
VS) # 16615 Judgt. vs Pltf. for Costs.
BOARD OF MANAGERS OF THE INDIANA BOYS' SCHOOL) J. D. 18, Page 264.
THE SUP'T. OF THE INDIANA BOYS' SCHOOL)

Come now the parties, and the defendant having heretofore filed his return to the writ herein, the plaintiff having heretofore filed his exceptions thereto, the Court having heard argument of counsel, and having duly examined said return and the exceptions thereto, and having had said cause under advisement and now being sufficiently advised, overrules said exceptions to the return to the writ of habeas corpus, to which ruling of the Court the plaintiff objects and excepts.

The Court now finds for the defendant, and that the writ

herein should be dissolved and the petition herein, Thomas G. Brady, remanded to the cutody of the Respondents, until he has served and satisfied said commitment, or until he is otherwise discharged from the custody of said Respondents, and that the plaintiff pay the costs.

It is, therefore, considered, ordered and adjudged by the Court, that the writ herein should be dissolved and the petition herein, Thomas G. Brady, be remanded to the custody of the Respondents, until he has served and satisfied said commitment or until he is otherwise discharged from the custody of said Respondents.

It is further considered, 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. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, April 18th, 1942.

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

STATE EX REL LUTHER SYMONS)
VS) # 13635 ENTRY APPROVING FINAL REPORT OF RECEIVER.
HUNTER BANK OF BROWNSBURG,)
INDIANA)

Comes now Charles B. Davison, Receiver of Hunter Bank, and files his final report of said trust, which said report is of the following words and figures, to-wit: (H.I.), also his vouchers and receipts referred to in said final report, Willa Semones, Administratrix of the estate of Harney F. Semones, also having filed her current report, together with all vouchers and receipts up until the appointment of Charles B. Davison, which said report is of the following words and figures, to-wit: (H.I.).

Said Charles B. Davison files herewith proof of publication showing that notice of the filing of final report and when and where the same would come up for hearing, which proof of publication is of the following words and figures, to-wit: (H.I.).

Said final report and said current report filed by said administratrix together with vouchers therewith are now submitted to the court for hearing, finding and decree and the court having examined the same and being duly advised now finds that all of the allegations in the said final report of said Receiver, Charles B. Davison and the current report filed by Willa Semones, Administratrix of Harney F. Semones are true and correct and that final distribution of said trust has been made to the depositors by the receivers of said Hunter Bank and that all the orders of the court have been fully performed and that said Receiver should be discharged.

It is, therefore, considered, adjudged, ordered and decreed by the court that the Clerk of the Hendricks Circuit Court is hereby appointed and duly authorized as the authorized agent to release any judgments, mortgages and liens affecting the said Hunter Bank if any of the same should appear of record hereafter and have to be released and that a certified copy of this order shall be all the authority necessary to release said judgments, mortgages or liens: That said Clerk of the court is authorized and directed to pay out to the depositors the amount apposite their names on the List of Unclaimed Dividend Checks as listed in the Receiver's Final Report or to their heirs, administrators and executors.

It is further adjudged, ordered and decreed by the court that said Receiver be given authority to distroy all records and papers owned by the Hunter Bank, except three individual legers, one discount register, teller's daily statement register, also that after the elapse of one (1) year from the filing of this entry said Receiver is hereby given authority to destroy all papers in his possession pertaining to the Hunter Bank.

It is further adjudged, ordered and decreed by the court that the notes received by this Receiver which were uncollectible and which were ordered sold, but for which no bid was received, are hereby turned over, transferred and assigned to the Clerk of the Hendricks Circuit Court for the benefit and use of the depositors of the said Hunter Bank of Brownsburg, Indiana, a list of said notes, the number and amounts

thereof appearing on pages 32, 33 and 34 of the Final Report of the Receiver of said bank.

It is further, adjudged and decreed by the court that the said current report filed herein and the said final report by said Charles B. Davison, Receiver, be and the same are hereby approved. That said Willa Semones, Administratris of Harney F. Semones, and Charles B. Davison, Receiver of the Hunter Bank are hereby released and are relieved of any further responsibility and the bondsman of Charles B. Davison release and forever discharged.

Dated this 18th day of April, 1942.

(For list of unclaimed dividends and receipts, see Civil Order Book 92, page 144.)

ESTHER ALBERTS)
VS) # 16636
TONY MASCARI, ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, 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, April 20th, 1942.

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

STATE OF INDIANA)
SS:
COUNTY OF Hendricks)

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 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 whose address is Plainfield, 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 Apr. 1942, 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 Apr. 1942

Witness my hand this 1st day of Apri, 1942.

Horace L. Hanna
(Signature) Judge of the Circuit Court

Attest:
Clerk of the Circuit Court of
Hendricks County, Indiana (SEAL)

OATH AND ACCEPTANCE OF OFFICE
OF MEMBER OF COUNTY BOARD OF PUBLIC WELFARE

I, Fred Hobbs, of Plainfield, 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.

Fred Hobbs
(Signature in full of appointee)

Subscribed and sworn to before me this 20 day of April, 1942.

(SEAL)
Walter E. Hadley Clerk
(Clerk of Circuit Court or Other Officer
Authorized to take oaths)

E. K. CHADWICK)
VS) # 15789 Judgt. vs Pltf. for Costs.
ISAAC SCHENK) J. D. 18, Page 264.
ISAAC J. SCHENK)

The plaintiff having failed to plead over as ordered by the Court so to do on or before April 15th, 1942, the defendant now moves the Court to dismiss this cause.

The time having expired for the plaintiff to plead over, the Court sustains said motion of the defendant, 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, E. K. Chadwick, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

NORMA POYNTER, by Archie)
Poynter, as next friend)
VS) # 16637 Judgt. vs Defts. for $100.00 and Costs.
W. PAUL ZIMMERMAN,) E N T R Y. J. D. 18, Page 265.
ZIMMERMAN COAL COMPANY)

Comes now the defendants and file waiver of service of process, as follows (H.I.).

Come now the defendants and file answer as follows (H.I.) to the plaintiff's complaint.

Come now, the parties, and by counsel and this cause being at issue is submitted to the court for finding and judgment, and the evidence having been heard and concluded and the court being duly advised in the premises, finds for the plaintiff and that the plaintiff is entitled to recover of and from the defendants the sum of One Hundred ($100.00) Dollars and the costs of this action.

It is therefore, considered, adjudged and decreed and ordered by the court that the plaintiff have and recover from the defendant the sum of One Hundred ($100.00) Dollars, together with the costs of this action expended and taxed at $6.90, and the Court orders the Clerk to pay out said sum to plaintiff, Norma Poynter, a minor.

GEORGIENE A. BILLMAN.)
VS) # 16638
UNITED TAXI COMPANY,)
INC.(A CORPORATION).)
ET AL.)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

GRAND JURY EMPANELLED, INSTRUCTED AND FOREMAN APPOINTED FOR THE MARCH TERM, 1942.

Come now the Grand Jury, Charles Money, Bennie V. Pierson, Fred Hobbs, Ora Blacketer, Harry Hollingsworth and Carl W. Pritchett, each being duly qualified to serve as a member thereof and said Grand Jury is now duly impanelled. And now said Grand Jury is duly sworn as provided by law and are duly charged and instructed by the Court, as provided by law, and the Court appoints Harry Hollingsworth as foreman, and said Grand Jury now enters upon their duties.

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 21st, 1942.

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

DORA M. PARSON)
VS) # 16572
CARL PRESSLER)

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

EDNA GILES, ADMINISTRATRIX)
OF THE ESTATE OF WILLIAM T.)
BRANSON)
VS) # 16544
PENNSYLVANIA RAILROAD CO., ET AL.)

Comes now the defendant, by counsel, and the Court being duly advised, now overrules defendants' demurrer to plaintiff's complaint herein, to which ruling of the Court the defendant objects and excepts.

The defendant is ruled to answer complaint herein on or before May 4th, 1942.

GLADYS ROGERS)
VS) # 16490 Judgt. vs Pltf. for Costs.
LEON ROGERS) J. D. 18, Page 265.

The Court being advised that the above parties are now living together as husband and wife, now dismisses plaintiff's cause of action on her complaint herein, and also dismisses cross-complainant's cause of action herein on his cross-complaint herein, all at the cost of the plaintiff herein.

It is, therefore, considered, ordered and adjudged by the Court that the complaint and cross-complaint be and the same are hereby dismissed, and the plaintiff, Gladys Rogers, is ordered to 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, April 22nd, 1942.

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

JAMES D. MARTIN)
VS) # 15610 On Account of Change of Venue.
MARGUERITE FRANCES MARTIN)

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. Six Dollars and - - - Cents ($6.00) in the case of James D. Martin vs. Marguerite Frances Martin 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

IDA LA FOLLETTE)
VS) # 16382 On Account of Change of Venue
GUS LA FOLLETTE)

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. Six Dollars and - - Cents ($6.00) in the case of Ida LaFollette vs. Gus LaFollette 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

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

MARGARET RICHEY BROCK, ADMINISTRATRIX)
OF THE ESTATE OF CARL L. RICHEY,)
DECEASED.)
VS) # 16298 On Account of Change of Venue.
PENNSYLVANIA RAILROAD 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. Six Dollars and - - Cents ($6.00) in the case of Margaret Richey Brock, Admrix. of the Estate of Carl L. Richey, Deceased. vs Pennsylvania Railroad 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

STATE OF INDIANA)
VS) # 15830 On Account of Change of Venue.
LEMON H. TROTTER)
CLEO TROTTER)

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. Eleven Dollars and - - - Cents ($11.00) in the case of State of Indiana vs. Lemon H. Trotter, 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

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

IRVING COHEN)
VS) # 16550 On Account of Change of Venue.
JOHN ROBERTS)

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, adjudiciated 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. Six Dollars and - - Cents ($6.00) in the case of Irving Cohen vs. John Roberts 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 sufficient voucher, and authority for so doing.

April 22nd, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

OTIS WHITE)
VS) # 16421 On Account of Change of Venue.
WALDO G. PARMENTER, 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. Six Dollars and - - Cents ($6.00) in the case of Otis White vs. Waldo G. Parmenter, 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 sufficient voucher, and authority for so doing.

April 22nd, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

ROBERTA HUGHES)
VS) CAUSE NO. 15170 Judgt. vs Pltf. for Costs.
THE ANCHOR MOTOR FREIGHT, INC.,) E N T R Y J. D. 18, Page 265.
a Corporation.)

Comes now the defendant, The Anchor Motor Freight, Inc., a Corporation, in the above entitled cause, by Slaymaker, Merrell and Locke, its attorneys, and announces that it is ready for trial; but the plaintiff, Roberta Hughes, being three (3) times audibly called in open court, comes not and makes default; and the plaintiff's attorneys of record, Bamberger and Feibleman and Ralph Bamberger, being three (3) times

audibly called in open court, come not and make default; and it appearing to the court that the plaintiff has failed to prosecute this action with diligence against the defendant it is therefore ordered by the court that this cause be dismissed for want of prosecution, at plaintiff's cost.

IT IS THEREFORE considered and adjudged by the court that this cause be and the same is hereby dismissed, and that the defendant, The Anchor Motor Freight, Inc., a Corporation, recover of the plaintiff its costs and charges in this cause laid out and expended.

THEODORE S. MUNSON)
VS) # 16423 ORDER TO APPEAR
MERLE S. MUNSON)

Marylou C. Patterson, attorney for the defendant herein, Merle S. Munson, having this day filed in this Court her affidavit, (H.I.)

From which it appears that on the 29th day of November, 1941, in the City of Danville, County of Hendricks, State of Indiana, an order was made by this Court, ordering and directing the said Theodore S. Munson, plaintiff herein, to pay into the Clerk of this Court the sum of One Hundred ($100.00) Dollars, as attorney fees for said defendant's counsel.

And that the said plaintiff, Theodore S. Munson was ordered to pay said sum of money within fifteen (15) days from the above mentioned date.

And that the said Theodore S. Munson has failed, neglected and refused to pay said sum to the Clerk of this Court, as heretofore ordered, and is now in default in the said sum of One Hundred ($100.00) Dollars, and costsherein.

It is therefore ordered by this Court that the said Theodore S. Munson be and appear in this Court on the 4 day of May, 1942, at 9:30 A. M. to show cause, he may have, if any, why he should not be attached and punished for his contempt of Court.

PENSION FUND OF)
DISCIPLES OF CHRIST)
VS) # 16249
CHARLES F. TUCKER, ET AL.)

Come now the parties, and said parties failing to agree, now strike and Montgomery County remaining, said cause is now ordered venued to Montgomery County, Indiana, and ten days are given to perfect said change.

STATE OF INDIANA,) IN THE HENDRICKS CIRCUIT COURT,
) SS:
COUNTY OF HENDRICKS,) MARCH TERM, 1942.

REPORT OF GRAND JURY OF INSPECTION
MADE OF THE COUNTY JAIL AND COUNTY
INFIRMARY.

The Grand Jury, duly impaneled and sworn and being in session, did, on the 21st day of April, 1942, inquire into the condition and management of the County Infirmary and as a result of said inquiry, the Grand Jury finds a clean drain is needed at the southeast corner of the house, and we recommend that this matter be taken care of.

We further recommend that some new benches be placed in the yard for the men, to add to the comfort of the inmates and the appearance of the grounds.

The Grand Jury did, on the 20th day of April, 1942, inquire into the condition and

management of the County Jail, and as a result of said inquiry finds that there should be new linoleum laid on the kitchen floor; that a stool and funtain should be installed in the insane cell in the men's ward; that the women's side of the jail should have a coat of paid, as soon as possible.

As a result of said findings, we recommend that a new linoleum be laid on the kitchen floor of the County Jail, a stool and fountain installed in the insane cell in the men's ward, and that the women's side of the jail should have a coat of paint as soon as possible.

We further report that we found both the County Infirmary and the County Jail clean, well-kept and well managed, and in a satisfactory condition with the exception of the above recommendations.

Harry G. Hollingsworth
Foreman of the Grand Jury.

JUNIA M. AILES, ADMINISTRATOR)
DE BONIS NON OF THE ESTATE OF)
SAMUEL W. AILES, DECEASED.)
VS) # 15682 On Account of Change of Venue
BURG O. EMMERT)

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. Six Dollars and - - - Cents ($6.00) in the case of Junia M. Ailes, Admr. De Bonis Non of the Estate of Samuel W. Ailes, Dec'd. vs Burg O. Emmert 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 sufficient voucher, and authority for so doing.

April 22nd, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

PAUL H. RICHARDSON)
VS) # 16493 On Account of Change of Venue.
GILBERT HAHN, 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. Six Dollars and - - - Cents ($6.00) in the case of Paul H. Richardson vs. Gilbert Hahn, 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 sufficient voucher, and authority for so doing.

April 22nd, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

SAMUEL JOHNSON)
VS) # 16435 On Account of Change of Venue
ALMA JOHNSON)

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 fregoing 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. Eleven Dollars and - - Cents ($11.00) in the case of Samuel Johnson vs. Alma Johnson 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 sufficient voucher, and authority for so ding.

April 22nd, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

HELEN PERKINS)
VS) # 16425 On Account of Change of Venue
ELMER PATTON, 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. Fifteen Dollars and Fifty Cents ($15.50) in the case of Helen Perkins vs. Elmer Patton, 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 sufficient voucher, and authority for so ding.

April 22nd, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

GRAND JURY REPORTS AND IS DISCHARGED FOR THE MARCH TERM, 1942.

Comes now the Grand-Jury, now in session for the March Term, 1942, of this Court, and presents in open Court the following indictments, which indictments are in the words and figures following, to-wit: (H.I.), which are each now examined by the Court and are now ordered by the Court to be filed and are now filed by the Clerk of this Court and are causes numbered 8222, 8223, 8224, 8225, 8226, 8227 and 8228, of this court.

Comes now the Prosecutor, and moves the Court to order the Clerk to issue warrants on each of the above indictments. The Court being duly advised, now sustains said motion,and it is so ordered.

The Grand Jury further reports that they have duly inspected the Hendricks County Jail and file their report as follows, (H.I.). The Court having seen and examined said report, the Clerk is directed to present said report to the Board of Commissioners at their next session.

The Grand Jury further reports that they duly made inspection of the County Home, and file their report as follows: (H.I.). The Court having seen and examined said report, now directs the Clerk to present said report to the Board of Commissioners at their next session.

The Grand Jury is now discharged.

GEORGIANA TRESTER)
VS) # 16549 On Account of Change of Venue.
JAMES EMERSON, 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. Six Dollars and - - - Cents($6.00) in the case of Georgiana Trester vs. James Emerson, 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

FLETCHER TRUST COMPANY)
VS) # 16407 On Account of Change of Venue.
MABEL M. NEWMAN)

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 Fifty Cents ($15.50) in the case of Fletcher Trust Company vs. Mabel Newman 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

ELIJAH L. JOHNSON)
VS) # 15850 On Account of Change of Venue.
JULIA E. FOX, 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: Forty-Three Dollars and - - - Cents ($43.00) in the case of Elijah L. Johnson vs. Julia E. Fox, 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

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

JUANITA SEARS)
VS) # 16378 On Account of Change of Venue.
HOBART SEARS)

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 Junanita Sears vs. Hobart Sears 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

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

STATE OF INDIANA)
VS) No. 16603
EMMA HAYNES)
ERNEST HAYNES)

On this 22nd day of April, 1942, the same being the day set for the hearing of the cause, personally appeared the defendants Emma Haynes, et al and the plaintiff being represented by the Attorney General, George N. Beamer, and Deputy Attorney General, Caleb J. Lindsey and, it appearing to the court that the defendants were duly served with notice of the proceeding herein, which notice was returnable on 12th day of March, 1942, and it further appearing that said defendants entered their appearances herein on said date and the Judge of the Court having examined the complaint, heard the evidence thereon, and being duly advised in the premises now find that the plaintiff's complaint is proven and true and that said plaintiff is entitled to condemn and appropriate the strip of land described in the complaint for highway purposes as alleged in said complaint, which strips of land are respectively owned and described as follows:

A parcel of land lying in the northwest quarter of Section four (4), Township sixteen (16) North, Range two (2) West, Hendricks County, Indiana, more particularly described as follows, to-wit:

From the intersection of the west line of the northwest quarter of said Section 4 and the present centerline of State Board 136 (locally known as the North Salem and Roachdale Road) distant one thousand six hundred sixty six and five tenths (1666.5) feet south of the northwest corner of said Section 4 measure in a westerly direction along said centerline and on a zero (0) degree, thirty (30) minute curve to the left, whose back tangent is north eighty nine (89) degrees, seventeen (17) minutes west a distance of six hundred twenty two and two tenths (622.2) feet to the point of tangency of said zero (0) degree, thirty (30) minute curve; thence in reverse direction measure south eighty nine (89) degrees, seventeen (17) minutes east a distance of sixty nine and twenty six hundredths (69.26) feet to the point of curvature of a zero (0) degree, thirty (30) minute curve to the right, said point being also the centerline of the proposed highway improvement; thence continuing along said centerline and on said zero (0) degree, thirty (30) minute right curve a distance of eight hundred fifty three and ninety four (853.94) feet to the west property line of land owned by Emma Haynes, et al, also the point of beginning; thence continuing along said centerline and on said curve a distance of five hundred three and five tenths (503.5) feet to the point of tangency of said zero (0) degree, thirty (30) minute right curve; thence continuing along said centerline south eighty two (82) degrees, thirty nine (39) minutes east a distance of one hundred ninety and five tenths (190.5) feet, all that land lying between the present north right of way line of State Road 136 and the proposed north right of way line same being forty (40) feet distant measured at right angles and parallel to the above last two (2) described centerlines; thence continuing along said centerline and in said direction a distance of one hundred (100) feet, all that land lying between the present north right of way line of State Road 136 and the proposed north right of way line same varying uniformly from forty (40) feet to forty five (45) feet distant measured at right angles to the above last described centerline; thence continuing along said centerline and in said direction a distance of twenty five (25) feet, all that land lying between the present north right of way line of State Road 136 and the proposed north right of way line same being forty five (45) feet distant measured at right angles and parallel to the above last described centerline; thence continuing along said centerline and in said direction a distance of two hundred eleven (211) feet, all that land lying between the present north right of way line of State Road 136 and the proposed north right of way line same being one hundred (100) feet distant measured at right angles and parallel to the above last described centerline.

The above described parcel of land being right of way necessary for the construction of of the proposed highway improvement and containing ninety two hundredths (0.92) acres, more or less.

And it is further found that three disinterested freeholders of said county should be appointed as appraisers to view said real estate and assess the damages, if any, to which defendants may be entitled.

It is therefore ordered, that said real estate as above described should be, and is, hereby condemned for uses and purposes as described in the complaint and Otto Low, Horace Ballard and Leoderous L. Pike, three disinterested freeholders of Hendricks County, Indiana, are now appointed to assess the damages and benefits, if any, which said Emma Haynes, et al. defendants herein respectively, may sustain by reason of the highway improvement as proposed in said complaint, and said appraisers are now ordered and directed to meet in a body at the office of the clerk of this court on the 24th day of April, 1942, at 9:30 o'clock, A.M., on said date, and after being duly sworn by said clerk according to law, and after having been instructed by the Court as to their duties, to proceed in

a body to the premises of said defendants and view the strips of land to be condemned and to file their reports as to each tract of land condemned owned by defendants respectively as set out in the complaint with the clerk of said Court on or before the _____day of _____, 19___, at _____ o'clock, ____M., on said date.

It is further ordered that the clerk shall issue to said appraisers a certified copy of this order, which shall be their warrant and upon which they shall proceed to assess said damages and benefits, if any, and to report to said clerk as aforesaid.

Dated April 22nd, 1942.

LUCILLE DANIEL NORRELL)
VS) # 16120 On Account of Change of Venue.
JOHN NORRELL, 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. Twenty Dollars and - - Cents ($20.00) in the case of Lucille Daniel Norrell vs. John Norrell, 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 sufficient voucher, and authority for so doing.

April 22nd, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

WILLIAM E. HUSTON)
VS) # 16491 On Account of Change of Venue.
CHARLOTTE C. HUSTON)

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-Five Dollars and - - Cents ($25.00) in the case of William E. Huston vs. Charlotte C. Huston 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 sufficient voucher, and authority for so doing.

April 22nd, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

SOUTHERN JUNIOR COLLEGE, A CORP.)
VS) # 16472 On Account of Change of Venue.
HOWARD C. GAMMON)
501 BLUE RIDGE)

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 Southern Junior College, A Corp. vs. Howard C. Gammon 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 Hendricks 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

IOLA GLADYS RUNYON)
VS) # 16523 On Account of Change of Venue
ORA RUNYON)

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-Four Dollars and Fifty Cents ($24.50) in the case of Iola Gladys Runyon vs. Ora Runyon 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 sufficient voucher, and authority for so doing.

April 22nd, 1942.

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

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 23rd, 1942.

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

DORA M. PARSON)
VS) # 16572
CARL PRESSLER)

Comes now the defendant, and the Court being duly advised, now sustains plaintiff's demurrer to defendant's amended second paragraph of answer, to which ruling of the Court the defendant objects and excepts.

BEN SACKS, ETC.)
VS) # 16307 On Account of Change of Venue.
USED CAR FINANCE CO., ETC., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit Court 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-Three Dollars and Twenty Cents ($83.20) in the case of Ben Sacks, etc. vs. Used Car Finance 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 sufficient voucher, and authority for so doing.

April 23rd, 1942.

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, April 24th, 1942.

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

ETHEL COX)
VS) # 16391 On Account of Change of Venue.
JOHN E. BYERS, 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. Eighty-Two Dollars and Twenty Cents ($82.20) in the case of Ethel Cox vs. John E. Byers, 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 sufficient voucher, and authority for so doing.

April 24th, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

BLANCH MAHAN)
VS) # 16129 On Account of Change of Venue.
OLIVER P. JONES, 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. Forty-One Dollars and Fifty Cents ($41.50) in the case of Blanch Mahan vs. Oliver P. Jones, 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 sufficient voucher, and authority for so doing.

April 24th, 1942. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

THE H. C. WHITMER COMPANY INC.)
VS) # 15247 Judgt. vs Pltf. for Costs.
RUFUS K. LYNCH, ET AL.) J. D. 18, Page 266.

Comes now the plaintiff, and files motion to dismiss this cause, without prejudice at the cost of the plaintiff, 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 premises, now sustains the same, and this cause is dismissed without prejudice, 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, The H. C. Whitmer Company Inc., is ordered to pay the costs of this action, taxed at _____ dollars and _____cents.

CHICAGO MACARONI CO.)
VS) # 15288 Judgt. vs Pltf. for Costs.
SCOTT WADDELL, DOING BUSINESS) J. D. 18, Page 265.
UNDER THE TRADE NAME OF)
BROWNSBURG PACKING COMPANY)

Comes now the defendant, and moves the Court to dismiss this cause for want of prosecution.

The Court being sufficiently 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, Chicago Macaroni Company, is ordered to pay the costs of this action, taxed at _____dollars _____cents.

STATE OF INDIANA)
VS) # 16603
EMMA HAYNES)
ERNEST HAYNES)
LUKE TRENT)

Come now the appraisers, Otto Low, Horace Ballard and Leoderous L. Pike, heretofore appointed by this Court, and after being duly sworn by the Clerk of this court and instructed by the Court as to their duties as appraisers, proceeded in a body to view said real estate that will be affected by said appropriation and to assess and appraise the damages and benefits sustained and resulting to each of said defendants by reason of the appropriation thereof.

LEE KIBBE)
EVERETT M. COLEMAN,)
Partners doing business as)
KIBBE & COLEMAN) Judgt. vs Defts. for $50.00, & Costs.
VS) # 15652 J. D. 18, Page 266.
CHARLES T. STEGEMOLLER, et al.) JUDGMENT

Comes now the plaintiff and it appearing to the court by the summons herein and the return of the Sheriff's endorsement therein, which summons and

return are in the following words and figures, to-wit: (H.I.). That the defendant has been duly served with process for more than ten days before the day fixed by the plaintiff, by endorsement on their complaint, for the defendant to appear and answer said complaint: Said defendant is three times loudly called in open court but comes not and herein makes default.

And the court having heard the evidence and being duly advised in the premises finds for the plaintiff and that the allegations in their complaint are true and correct. And that the plaintiff is entitled to the possession of a Model B-John Deere tractor; 1-52-12 inch tractor plow and one #5211 with front rigs only and 11Y758 shovels, and that said plaintiff is entitled to judgment on the sum of $50.00.

It is, therefore, considered and adjudged by the court that the plaintiff recover of the defendant a Model B-John Deere tractor; 1-52-12 inch tractor plow and one #5211 with front rigs only and 11 Y 758 shovels, together with sum of $50.00, thereof and costs of this action.

THE MID-CONTINENT)
PETROLEUM CORPORATION)
VS) # 15938 Judgt. vs Deft. for $27.69.
THOMAS SAYER) JUDGMENT Judgt. vs Pltf. for Costs.
J. D. 18, Page 266.

Comes now the plaintiff and it appearing to the court by the summons herein and the return of the Sheriff's endorsement therein, which summons and return are in the following words and figures, to-wit: (H.I.). That the defendant has been duly served with process for more than ten days before the day fixed by the plaintiff, by endorsement on their complaint, for the defendant to appear and answer said complaint: Said defendant is three times loudly called in open court but comes not and herein makes default.

And the court having heard the evidence and being advised in the premises finds for the plaintiff and that the allegations of said complaint are true: That there is due said plaintiff from said defendant on the account sued upon the sum of $27.69.

It is, therefore, considered and adjudged by the court that the plaintiff recover of the defendant said sum of $27.69, cost vs Plaintiff.

STATE OF INDIANA)
VS) # 8227 Judgt. vs Deft. for Costs.
WALTER KATZMAIER) J. D. 18, Page 266.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of assault and battery.

The Court withholds judgment and commits the defendant to the Sheriff of Hendricks County, Indiana, to obtain report from Mr. Purdue, Parol Agent.

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 25th, 1942.

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

STATE OF INDIANA)
VS) # 8227 Judgt. vs Deft. for Costs.
WALTER KATZMAIER) J. D. 18, Page 266.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and the Court now renders judgment on the defendant's plea of guilty.

It is, therefore, adjudged by the Court that the defendant, Walter Katzmaier, for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for twenty days, and shall pay the costs of this action, taxed at _____ dollars and _____ cents.

FRED C. BECK, AS A RECEIVER)
OF REMEDIAL FINANCE)
VS) # 16416
HUBERT H. WOODSMALL, ET AL.)

All defendants are ruled to answer complaint herein on or before May 4th, 1942.

EMMETT L. HENDON)
MAE L. HENDON)
VS) # 16639 (This entry is of April 24th, 1942.)
CAPITOL BUILDING CO.)
GLEN B. RALSTON)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

GENERAL COURT ALLOWANCES FOR THE MARCH TERM, 1942.

Lillian Priest, Court Reporter	$240.00
Walter E. Hadley, Clerk, Per Diem for Attending Court, Admittance for Patients to State Institutions and Change of Venue Claims	145.50
Ernest Bell, Bailiff	150.00
Thad Ryner, Jury Commissioner	3.00
Harry Thomson, Jury Commissioner	3.00
Hendricks County Republican	35.00
Tommy Stevens, Attendent to Madison Hospital	6.00
Blanche Van Allen, " " " "	3.00
John Buckingham, Transportation to Long Hospital	4.00
Wiltsie J. Stuart, Sheriff, Return of Fugative	21.00
The Lawyers Co-Operative Publishing Co.	97.50
Raymond N. Klass, Cedar Rapids, Iowa	10.00
Frank Shepherd Co.	12.00

American Law Book Co.	$ 20.00
West Publishing Co.	20.00
Bancroft Whitney Co.	10.00
Marshall D. Abrams, Special Judge	25.00
PETIT JURY:	
Ralph Wills	15.00
David Furnish	20.50
Marcie Cooprider	14.00
Harley Pennington	45.00
Victor Euliss	3.30
John Doyle	19.50
Harold Hull	23.50
Irma Coffman	43.00
Claude Gladden	39.00
Letha Mitchell	30.00
Joseph O. Carter	37.00
Oscar McConnaha	35.00
Herman Griffith	35.00
Robert Hendricks	19.20
Ernest Stanley	13.50
John Kurtz	33.00
Arthur Newman	24.60
Frank Blaydes	3.50
Chester Parker	14.00
Ralph H. Snyder	13.20
Elvin Busby	17.50
George M. McClellan	18.50
John Dugan	14.00
Clarence Montgomery	3.50
Ralph Warmoth	16.00
Ernest Woodward	14.00
Floy Modesitt	10.80
John Smith	3.20
Housman Cafe 26 meals @ 50¢	13.00
GRAND JURY:	
Charles Money	9.30
Bennie V. Pierson	9.90
Fred Hobbs	10.50
Ora Blacketer	10.20
Harry Hollingsworth	10.50
Carl W. Pritchett	9.90
T O T A L	$1,456.60

STATE OF INDIANA)
VS) # 8228
RAYMOND LONG)
RICHARD SANDERS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendants, Raymond Long and Richard Sanders, and the Court finds that Raymond Long is sixteen years of age, June 4th, 1941, and that the defendant, Richard Sanders, is seventeen years of age, December 25th, 1941, and the Court now orders all papers in this cause transferred to the Juvenile Court of this County, and docketed in the Juvenile Docket under cause No. 267 of the Juvenile Court.

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, 1942, of said court.

And Court adjourned until court in course,

Records read and signed in open court.

Horace R. Hanna, Judge.

GRAND AND PETIT JURORS, DRAWN FOR THE MAY TERM, 1942.

BE IT REMEMBERED, That on the 27th day of April, 1942, Thad J. Ryner and Harry G. Thomson, 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, 1942, of this court, viz:

1. Lester C. Denny	Washington	Township
2. Alford Williams	Liberty	Township
3. Ira Maxwell	Guilford	Township
4. Henry Lewis McFerran	Clay	Township
5. Joe Sellers	Eel River	Township
6. William Walton	Center	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 at the May Term, 1942, of this court, viz:

1. Ernest Herringlake	Guilford	Twp.	16. Emery Merritt	Washington	Twp.
2. Thomas Maloney	Brown	Twp.	17. Lola Adams	Eel River	Twp.
3. Frank Rhoads	Center	Twp.	18. Grover Bailey	Union	Twp.
4. Morris Hadley	Clay	Twp.	19. Werl Bailey	Franklin	Twp.
5. John Moran	Center	Twp.	20. Clarence Hamrick	Marion	Twp.
6. Everett McNelly	Lincoln	Twp.	21. Curtis Hodson	Marion	Twp.
7. Zella Ladd	Guilford	Twp.	22. Terresa Kirk	Lincoln	Twp.
8. Lula Wills	Liberty	Twp.	23. Doris Almond	Guilford	Twp.
9. Dorothy L. Costin	Washington	Twp.	24. Harry Wilson	Guilford	Twp.
10. Alva Rice	Washington	Twp.	25. Charles M. Brumfield	Union	Twp.
11. John A. Schenck	Middle	Twp.	26. Oscar Hiland	Middl	Twp.
12. Harold Dean	Eel River	Twp.	27. Orville English	Union	Twp.
13. Charles Swain	Middle	Twp.	28. Edith M. Ryner	Marion	Twp.
14. Oscar Woods	Liberty	Twp.	29. Woodson Darnell	Clay	Twp.
15. Vera Hall	Center	Twp.	30. Ruth B. Edmonson	Liberty	Twp.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 28th day of April, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

FRED C. BECK, AS A RECEIVER)
OF REMEDIAL FINANCE)
VS) # 16416
HUBERT H. WOODSMALL, ET AL.)

Comes now the defendant, Peoples State Bank, Trustee, etc., by counsel, and files answer to plaintiff's complaint, which answer is in the following words and figures, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 29th day of April, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

BETTY LOU WEAVER)
VS) # 16640
JAMES NOBLE WEAVER)

Comes now the Clerk of the Marion Superior Court, and files transcript and six papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 30th day of April, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

ARTHUR MILLIGAN)
VS) # 16641
RED CAB, INC.)

Comes now the Clerk of the Marion Circuit Court, and files transcript and nine papers on change of venue from the Marion Circuit Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 2nd day of May, 1942, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

HARRY D. HANTZIS)
VS) # 16642
CARL SEILS, ET AL.)

Comes now the Clerk of the Morgan Circuit Court, and files transcript and thirty-two papers on change of venue from the Morgan Circuit Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

Monday Morning, May 4th, 1942.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the May Term, 1942, 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 4th day of May, 1942, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
George W. Hadley, Prosecuting Attorney.
Wiltsie J. Stuart, Sheriff.
Walter E. Hadley, Clerk.

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

FRED C. BECK, AS A RECEIVER)
OF REMEDIAL FINANCE)
VS) # 16416
HUBERT H. WOODSMALL, ET AL.)

Come now the defendants, Hubert H. Woodsmall, Lelia C. Woodsmall, Woodsmall Properties, Incorporated, H. H. Woodsmall Agency, Inc., and file separate and several demurrer to plaintiff's complaint herein, which separate and separate and several demurrer to plaintiff's complaint is in the words and figures following, to-wit: (H.I.).

EDNA GILES, ADMINISTRATRIX OF)
THE ESTATE OF WILLIAM T. BRANSON)
VS) # 16544
PENNSYLVANIA RAILROAD CO., ET AL.)

Come now the defendants, and file answer to plaintiff's complaint herein, which answer is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 8229 Judgt. vs Deft. for Costs.
CHARLES HOOSIER) J. D. 18, Page 267.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Charles Hoosier, 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 for the offense by him committed shall be sentenced to the Indiana Penal Farm for a period of sixty days and shall pay the costs of this action, taxed at ___dollars and____cents.

The Court now suspends the sentence to the Indiana State Farm on condition that said defendant behave well and refrains from the use of intoxicating liquor, should said defendant violate the condition herein the suspension of sentence herein shall be revoked and he shall be committed to the Indiana State Farm. The defendant is given thirty days to pay the costs herein.

STATE OF INDIANA)
VS) # 8230 Judgt. vs Deft. for $25.00 Fine & Costs.
ROBERT L. QUINLEY) J. D. 18, Page 267.

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Robert L. Quinley, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty of operating vehicle while under the influence of intoxicating liquor.

It is, therefore, considered and adjudged by the Court that said defendant be fined twenty-five dollars for the offense by him committed and that he pay the costs of this action, taxed at _____dollars and _____ cents.

It is further ordered by the Court that his operator's license, No. 953901, be suspended for a period of thirty days. Clerk is directed to forward certified copy of this judgment to the Motor Vehicle Department as provided by law.

STATE OF INDIANA)
VS) # 16603
EMMA HAYNES)
ERNEST HAYNES)
LUKE TRENT)

Come now the appraisers Otto Low, Horace Ballard and Leoderous L. Pike, and file report of the damages and benefits of said defendants to be as follows (H.I.). The value of the land sought to be appropriated as described in the Court's order and warrant, the appraisers find to be the sum of $275.00. The value of improvements on the portion of said realty sought to be appropriated the sum of $125.00. The damages caused by taking out the part sought to be appropriated as above described the sum of $290.00. Such other damages from the construction of the improvement described in the complaint none. The benefits to the residue of the real estate of said defendants resulting by taking out the part sought to be appropriated as above described the some of none dollars. The total damages the sum of $690.00. And the Judge of the Court, having examined said report and being sufficiently advised in the premises, now approves said report and orders that it be made a part of the record of this cause.

And it is now ordered that a fee of $15.00 be taxed for each of said appraisers to be paid by the plaintiff as a part of the costs of this cause.

It is further ordered that upon the payment, within the time prescribed by law, to the Clerk of this Court for the use of the defendants the sum of six hundred and ninety ($690.00) dollars, the amount of said damages as assessed by said appraisers, it shall be lawful for the plaintiff to take possession of and hold the interest in the lands of the defendants appropriated herein for the uses stated in the complaint 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 5th, 1942.

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

STATE OF INDIANA EX REL)
STATE BOARD OF MEDICAL REGISTRA-)
TION AND EXAMINATION)
VS) # 16644
GEORGE R. OSBORNE)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are 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, May 6th, 1942.

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

CHARLES E. BOURN)
VS) # 16592
MAMIE E. COOPER, ET AL.)

Comes now the Commissioner, and files his final financial report, which final financial report is in the words and figures following, te-wit: (H.I.).

The Court having seen and examined said report and being sufficiently advised in its premises, now approves the same, and said commissioner is discharged.

ALPHIA WATSON)
VS) # 16593
HAROLD WATSON)

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

This cause being at issue, the same is now submitted to the Court, evidence is heard, and the Court takes cause under advisement.

THE FEDERAL LAND BANK)
OF LOUISVILLE)
VS) # 16546
VIRGIL V. RUNNELS, ET AL.)

Defendants, Virgil V. Runnels and Ora B. Runnels, are ruled to answer complaint herein on or before May 16th, 1942, and notice is to be sent directly to said defendants, at Clayton, Indiana, R. F. D. No. 1.

CHARLES WELDON MARTIN)
HELEN JANE MARTIN)
VS) # 16646
EARL A. FERGUSON)

Comes now the plaintiffs and files their verified complaint asking for possession of the following described real estate situated in Hendricks County, State of Indiana; to-wit:

The east half of the southeast quarter of
Section 24, Township 17 north Range one (1)
east containing 80 acres more or less.

and also asking that a certain written lease executed by said plaintiffs and defendant, be adjudged forfeited, and further asking that a receiver be appointed, which verified complaint is in words and figures following, (H.I.) and now said plaintiffs show to the court that summons has been duly issued by the Clerk of the Hendricks Circuit Court to the Sheriff of Hendricks County, for the defendant, Earl A. Ferguson, and it is further shown to the court by the allegations of said verified complaint that the service of said summons can be accomplished only by leaving a copy thereof at the last and usual place of residence of said defendant in Hendricks County, Indiana, and now the matter of the appointment of a receiver, without notice, to take charge of the real estate described

in plaintiff's complaint, and to cultivate the same and collect all rents and income therefrom, is now submitted to the court, and the court being fully advised in the premises finds that plaintiffs and defendant are entitled to have a receiver appointed to take charge of said real estate.

It is therefore ordered, adjudged and decreed by the court that Jean M. Lowery BE AND HE IS HEREBY APPOINTED to take charge of said real estate, and to cultivate the same, to collect all rents and income therefrom, and to have and hold absolute possession of said real estate as against said defendant, and all parties claiming by, under or through said defendant which real estate os described as follows to-wit:

The east half of the southeast quarter
of Section 24, Township 17 north Range one
(1) east containing 80 acres.

It is further ordered, adjudged and decreed by the court that said receiver give bond in the sum of $1000.00 and now said Jean M. Lowery presents in open court his bond with Globe Indemnity Co. as surety thereon which bond is examined and approved by the court, and the court's approval endorsed thereon, said bond and the approval endorsed thereon being in words and figures following to-wit: (H.I.) and now said receiver files his oath that he will honestly and faithfully discharge his duties, according to law, as such receiver which oath is in words and figures following to-wit: (H.I.)

It is further ordered by the court that said receiver take immediate charge, control and possession of said real estate, that he proceed to manage and care for said real estate, and to perform and do all things necessary to cultivate any part of said real estate that should be cultivated for the 1942 crops, and to accomplish said purpose said receiver is hereby authorized to cultivate said land himself, to hire some one to cultivate the same or to rent any part or portion to be farmed, upon a crop basis, and to rent the buildings thereon, and collect rents therefor and to do all things necessary to properly care for said real estate, and to cause it to be made productivs and profitable during the pendency of this action and until the further order of the court.

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

T. M. OVERLEY)
VS) # 16647
CARL D. HILL)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 7th, 1942.

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

CHARLES CLAY, JR.)
VS)
CARL I. HENRY)

Comes now Charles Clay Jr., plaintiff herein, and files his petition to withdraw cash bond and to substitute a personal bond, which petition is in the words and figures following, to-wit:

State of Indiana)
) ss:
County of Hendricks)

In The Henry Circuit Court
May Term, 1942

Charles Clay Jr.
v.
Carl I Henry

Petition to withdraw cash bond and to substitute a personal bond.

Comes now Charles Clay Jr. who would respectfully show the court that there is pending in this court a case wherein your petitioner is plaintiff and Carl I. Henry is defendant said cause originating before one Willis Schenck, a justice of peace in and for Middle Township in said county; and further that at time said cause was filed he did at that time and by order of sad justice post a bond of fifty dollars cash said cause being an action in replevin.

Your petitioner would further show that he now needs his money AND NOW offers in lieu of said cash bond his personal bond with F. Brewer Hadley a resident of said county and state as surety thereon.

Whereupon your petitioner asks that he be permitted to substitute his personal bond for said cash bond as aforesaid and all other proper relief.

Chas. Clay Jr.

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: "Petion granted personal bond approved and cash bond in amount of $50.00 ordered paid to Charles Clay Jr. and in lieu thereof personal bond duly filed. Horace L. Hanna, Judge"

RECEIPT:

May 7th, 1942 Received of Walter E. Hadley, Clerk, $50.00 for refund of cash bond filed in the above case.

Charles Clay Jr.
(Charles Clay, Jr.)

INA M. PRICE)
VS) # 16613
MAURICE G. PRICE)

Comes now the defendant, and files answer in general denial, which answer is in the words and figures following, 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.

Evidence is heard, and this cause is continued for filing of briefs.

Thursday, May 7th, 1942, and the 4th day of the May Term, 1942.

MARVIN BEECHAM)
VS) # 16631
WILLIAM HERRINGLAKE)

The defendant is ruled to answer complaint herein on or before May 16th, 1942.

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON)
A MUNICIPALITY)

Absolute rule to answer amended complaint by May 15th, 1942, and cause is assigned for trial June 5th, 1942.

C. C. Gillen
Courtland C. Gillen, Special Judge.

WEAVER BROTHERS LUMBER CO.)
VS) # 16610
OTIS KIRTLEY, D/B/A)
OTIS KIRTLEY LUMBER CO.)

Defendants are ruled to answer complaint herein on or before May 16th, 1942.

WILLIAM E. LYDICK)
ELSIE F. LYDICK)
VS) # 16397
THE PENNSYLVANIA)
RAILROAD COMPANY)

Come now the parties, and oral argument is had on defendant's demurrer to plaintiff's amended complaint. The Court being duly advised, now sustains defendant's demurrer to plaintiff's amended complaint, to which ruling of the Court the plaintiff objects and excepts, and plaintiff is given right to plead over.

STATE OF INDIANA)
VS) # 8221
JAMES OLMSTEAD)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant reports to the Court he has volunteered for induction in the United States Army, and is to report May 19th, 1942.

The Court being duly advised, now allows said defendant to go on his own recognizance and this cause is continued.

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

Horace L. Hanna, Judge.

Friday, May 8th, 1942, and the 5th day of the May Term, 1942.

Friday Morning, May 8th, 1942.

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

STATE OF INDIANA)
VS) # 8224
MOSE CHILDERS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant in his own proper person and said defendant is duly arraigned in open court, and pleads not guilty of petit larceny.

Court fixes bond in this cause and causes numbered 8222 and 8223 at $1000.00.

STATE OF INDIANA)
VS) # 8222
MOSE CHILDERS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Mose Childers, in his own proper person, and said defendant is duly arraigned in open court and pleads not guilty of petit larceny.

Court fixes bond in this cause and causes numbered 8223 and 8224 at $1000.00.

STATE OF INDIANA)
VS) # 8223
MOSE CHILDERS)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Mose Childers, in his own proper person, and said defendant is duly arraigned in open court and pleads not guilty of petit larceny.

Court fixes bond in this cause and causes numbered 8222 and 8224 at $1000.00.

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 9th, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

PHOEBE COMER, CATHERINE BAILEY,) Judgt. vs Cross-Complainant for Costs Except Pltfs'. Witnesses.
STEWART COMER, and MARGUERITE) Judgt. vs Pltf. for Costs & Expenses of Own Witnesses.
MERRIMAN,) J. D. 18 - Page 267.
VS) # 15563 ENTRY QUIETING TITLE.
DOROTHEA C. TEMPLETON LOWDER,)
LURA D. TEMPLETON.)

Come now the parties, the plaintiffs in person and by Ralph B. Gregg, their attorney, and the defendants in person and by Kivett & Kivett, their attorneys, and now with leave of court the defendants file their cross-complaint seeking to have their respective titles to real estate in this proceeding described quieted in them, which said cross-complaint is in words and figures as follows: (H.I.)

And now the plaintiffs as defendants in said cross-complaint appear and file their answer to said cross-complaint, which said answer is in the words and figures as follows: (H.I.)

And this cause now being at issue upon the complaint and answer heretofore filed and upon the cross-complaint and the answer thereto are, by agreement of parties, submitted to the court for trial, finding, and decree without the intervention of a jury. And the court having seen and heard the evidence and being duly advised in the premises, now finds for the defendants on the complaint and the answer thereto that plaintiffs take nothing on their complaint, and further finds for the defendants and cross-complainants on their cross-complaint, and that cross-complainants are entitled to have their title to real estate quieted as alleged in said cross-complaint and as prayed for.

It is therefore ordered, adjudged, and decreed by the court that plaintiffs take nothing by their complaint herein.

It is further ordered, adjudged, and decreed by the court that the facts stated in the cross-complaint are true and that Dorothea C. Templeton Lowder is the owner in fee simple of the following described real estate in Morgan County, Indiana, to-wit:

Part of the s.w.¼ of section 13, Township 13, North, Range 1 E of the second principal Meridian, more particularly described as follows, to-wit:

Beginning at a point on the East and west center line of section 13, Township 13 N, Range 1 east, 15.40 chains west of the center line of the Pennsylvania Railroad track and 20.40 chains east of the N.W. corner of the S.W.¼ of said section 13; thence south 13.50 chains; thence east 14.26 chains to the west right-of-way line of the T.H.I & E; thence south with the said right-of-way line 19.23 chains thence west 34.40 chains to the west line of said section 13;, thence north 22.35 chains; thence east 2.50 chains; thence north 10.00 chains to the center line of said section 13; thence east 17.90 chains to the place of beginning, containing 91.18 acres more or less.

Also, part of the S.E. ¼ of the S.E. ¼ of section 14, Township 13 N, Range 1 East of the second Principal Meridian, described as follows, to-wit:- Beginning at a point 8.12 chains N of the S.E. corner of said section 14, thence W 3.00 chains; thence north 6.38 chains; thence north 45 degrees E 4.24 chains to the east line of Section 14; thence South 9.38 chains to the place of beginning, containing 2.36 acres more or less.

Containing in all 93.54 acres, more or less.

That the cross-complainant, Lura D. Templeton, is the owner of the following described real estate in Morgan County, Indiana, to-wit:

A part of the Southwest quarter of Section 13, Township 13 North, Range 1 East, described as follows; to-wit:

Beginning at the Northwest corner of the Southwest Quarter of said Section 13, Township and Range aforesaid, and running thence East 10 rods; thence South 40 rods; thence West 10 rods; thence North to the place of beginning, containing 2½ acres, be the same more or less.

Also,

All that part of Lots Numbered Ten (10), Eleven (11) and Twelve (12) in Block Number Six (6) in the Town of Mooresville, that lie North of the right of way of the Terre Haute, Indianapolis, & Eastern Traction Company.

And that their respective titles in and to said real estate be and the same are hereby quieted in them as against the plaintiffs and all persons claiming by or through plaintiffs, or either of them, and that plaintiffs have no right, title, or interest in or to any part of said real estate.

It is further ordered, adjudged and decreed by the court that the defendants and cross-complainants herein recover their costs laid out and expended and taxed at $_____.

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

And now come again said parties, and in open court the plaintiffs waive any right to file a motion for a new trial or prosecute an appeal from the judgment herein entered, upon the condition that cross-complainants pay the costs of this action other than the costs of plaintiffs' witnesses.

And now in open court, cross-complainants accept said proposition and agree to pay said costs.

It is further ordered, adjudged and decreed by the court, pursuant to said agreement made in open court, that cross-complainants pay the costs of this action except the costs of plaintiffs' witnesses. And that plaintiffs pay the costs and expenses of their own witnesses. And now this matter is adjudged fully and finally settled.

ALL OF WHICH IS ORDERED, ADJUDGED and DECREED BY 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, May 11th, 1942.

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

MINNIE BOURNE)
VS) # 16274
LENA SHARTLE)

The defendant is ruled to answer complaint herein on or before May 18th, 1942.

GLEN B. THARP AND)
ALMA THARP, ETC.)
VS) # 15976 Judgt. vs Pltfs. for Costs.
REGINALD COX) J. D. 18, Page 267.

Comes now the plaintiff 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.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed at the plaintiffs' cost.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiffs, Glen B. Tharp and Alma Tharp, doing business as the Farmers Supply Company, are ordered to pay the costs of this action, taxed at _____dollars and _____cents.

MINNIE McCLOUD WALLACE)
VS) # 16605
BERT WALLACE) DIVORCE DECREE.

Come now the parties herein and it appearing to the satisfaction of the court that the defendant, Bert Wallace, has been servived with summons more than ten (10) days prior to the return day endorsed on the complaint, as the same fully appears from the said writ of summons and the return of the Sheriff of Hendricks County, state of Indiana, endorsed thereon, which writ of summons and said sheriff's return thereon are in the following words and figures, to wit: (Here Insert). It also appearing to the satisfaction of the court that more than sixty (60) days have elapsed since the service of such writ of summons upon the defendant, it now assumes jurisdiction of this cause for the purposes of trial, finding, judgment and decree.

And now the Prosecuting Attorney appears and defends in said cause. And the court, having heard the evidence and being fully advised and informed in the premises, finds for the plaintiff that she is entitled to a divorce from the defendant on the grounds and for the reasons set forth and alleged in her complaint; the court further finds that the plaintiff is entitled to have her former name of Minnie McCloud restored to her and that the defendant 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 Minnie McCloud Wallace and Bert Wallace, be, and they are hereby set aside and dissolved, and the said plaintiff is hereby given and granted an absolute divorce from the defendant, Bert Wallace.

It is further adjudged by the court that the former name of the

plaintiff be and the same is now restored to her, and that she now have the name of Minnie McCloud.

It is ordered and adjudged by the court that the defendant pay the costs of this action, which costs are now accordingly paid.

All of which is ordered and adjudged by the court on this 11th day of May, 1942.

CARRIE GLASS) Judgt. vs Deft. for $6.50 Per Week & $2.50 Worth of Defense Bonds Per Week, & Costs.
VS) # 16505 J. D. 18, Page 268.
WILLIAM F. GLASS) DECREE MODIFYING FORMER ORDER AND DECREE OF COURT.

Come now the parties in their own proper persons and by counsel and this cause coming on for a hearing before the court upon the defendant's verified petition for a modification of the former order and decree of court as to the amount fixed in such former order of the court for support of the son, William D. Glass, to be paid to Mrs. Emma Herrmann, the grandmother of said child, who was present in court at this hearing, and the court, having heard the evidence and being fully advised and informed in the premises, finds that the former order and decree of court, fixing the amount to be paid for the support of the son, William D. Glass, at $8.00 per week, the same to be paid to said grandmother of said child, Mrs. Emma Herrmann, should be modified and that said payments should be reduced.

It is therefore adjudged by the court that the former order and decree of the court be and the same is hereby modified as to the amount to be paid to Mrs. Emma Herrmann for the support of William D. Glass and it is now ordered and adjudged that the defendant, William F. Glass, pay the sum of $6.50 per week for the support of said William D. Glass until the further order of the court.

It is further ordered that said defendant, William F. Glass, purchase as much as $2.50, out of his weekly wages, of defense bonds, and cause such bonds to be payable to said son, William D. Glass, until the further order of the court.

It is further ordered and adjudged that in all other respects the former order and decree of court shall continue to be in full force and effect.

It is further ordered and adjudged by the court that the defendant, William F. Glass, shall pay the costs of these proceedings taxed at _____dollars and _____cents.

Ordered and adjudged in open court this 11th day of May, 1942.

LOUISE McCOY)
VS) # 16574
NEW YORK CENTRAL RAIL-)
ROAD COMPANY, ET AL.)

Come now the parties, and oral argument is had on defendants' motion for new trial, and the Court takes the matter under advisement.

CHARLES R. NACE)
VS) # 16601
THELMA NACE) DIVORCE DECREE.

Comes now the plaintiff, Charles R. Nace, in his own proper person and by counsel, and it appearing to the satisfaction of the court that the defendant, Thelma Nace, has been properly notified of the filing and pendency of this cause of action for

more than three weeks by the publication of notice in "The Hendricks County Republican", a weekly newspaper of general circulation throughout Hendricks County, in the state of Indiana, printed and published in the town of Danville, in said county and state, for three consecutive weeks, the first of which publications was made on the 26th day of February, 1942, and the third and last of which publications was made on the 12th day of March, 1942, the last full week of such publications being more than thirty (30) days prior to the return day herein fixed, and more than thirty days prior to the date of the hearing of this cause, all as shown by the affidavit of Edward J. Weesner, Editor of said newspaper, and the copy of the notice attached thereto, which affidavit and copy of notice attached thereto are in the following words and figures, to wit: (Here Insert).

And it further appearing to the court that more than sixty (60) days have elapsed since the date of the first publication of notice, it now assumes jurisdiction of this cause for the purposes of trial, finding, judgment and decree. And now, upon motion of the plaintiff, this cause is submitted to the court for trial, finding, judgment and decree, and the defendant, failing to appear either in person or by counsel, is now three times loudly called to come into court, but comes not in response to such call and wholly makes default herein. And now the Prosecuting Attorney appears and defends in this action.

And the court, having heard the evidence and being fully advised and informed in the premises, finds for the plaintiff that he is entitled to a divorce from the defendant upon the grounds and for the reasons set forth and alleged in his complaint filed herein.

The court further finds that the plaintiff should pay the costs of this action for divorce.

It is, therefore, adjudged and decreed by the court that the bonds of matrimony, heretofore existing between the said plaintiff and defendant, are set aside and dissolved and the plaintiff is hereby given an absolute divorce from the defendant.

It is further adjudged by the court that the plaintiff pay the costs of this action, which costs are now accordingly paid.

All of which is now adjudged in open court this 11th day of May, 1942.

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 12th, 1942.

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

STATE OF INDIANA)
VS) # 16603
EMMA HAYNES)
ERNEST HAYNES)
LUKE TRENT)

Comes now the plaintiff, and files exceptions to appraisers' report as to the lands of the defendants, which exceptions are in the following words and figures, to-wit: (H.I.).

METHODIST HOSPITAL OF INDIANA)
VS) # 16555
JESSE F. LASH)

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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs 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. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, May 13th, 1942.

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

PEARL D. FRAKES, SINGLE;)
WAYNE DYER, MARRIED;)
MARY KATHRYN DYER, SINGLE;)
LAUREL DYER, MARRIED;)
GEORGE DYER, SINGLE;)
VS) # 16623
FANNIE DYER, WIFE OF PLAINTIFF, WAYNE DYER;)
CLARA E. DYER, WIFE OF PLAINTIFF, LAUREL DYER;)
FLETCHER JOINT STOCK LAND BANK OF INDIANAPOLIS;)
THE PRUDENTIAL INSURANCE COMPANY OF AMERICA;)
INDIANA BELL TELEPHONE COMPANY;)
THE OHIO OIL COMPANY;)
ORA MOORE;)

Come the plaintiffs by counsel and produce and exhibit to the Court the summons issued to the Sheriff of Hendricks County, Indiana, for defendants, Indiana Bell Telephone Company, and Ora Moore, and from which summons and the return of said Sheriff indorsed thereon the Court finds that said defendants, and each of them severally, were duly served with process and notice of the filing and pendency of this suit more than ten days prior to the 14th day of April, 1942, the day fixed by the plaintiff, by indorsement upon the complaint, for said defendants to appear and answer the complaint. Said summons and Sheriff's return indorsed thereon are as follows, to-wit:-(Here Insert).

And now defendant, Indiana Bell Telephone Company, comes by Thomas D. Stevenson, its attorney, and files answer to the complaint, as follows, to-wit:-(Here Insert).

And comes defendant, Ora Moore, in person, and files answer to the complaint as follows, to-wit:-(Here Insert).

And defendant, Fannie Dyer, wife of plaintiff Wayne Dyer, comes in person and files separate answer to the complaint as follows, to-wit: (Here Insert);

And defendant, Clara E. Dyer, wife of plaintiff, Laurel Dyer, likewise comes in person and files her separate answer to the complaint, as follows, to-wit:- (Here Insert).

And now defendant, Fletcher Joint Stock Land Bank of Indianapolis, comes by J. F. Beals, its attorney, and files answer to the complaint, as follows, to-wit:-(Here Insert);

And defendant, The Prudential Insurance Company of America, voluntarily appears to the complaint, and files answer thereto, as follows, to-wit:-(Here Insert);

And now comes defendant, The Ohio Oil Company, by R. H. Fletcher, its attorney, and having heretofore voluntarily appeared to the complaint herein files its answer thereto, as follows, to-wit:-(Here Insert);

And now this cause is submitted to the

court for trial, finding, judgment and decree without the intervention of a jury, upon the issues made by the complaint and the several answers thereto. And the Court, having heard the evidence and being fully advised in the premises, says and finds:

That defendant, Indiana Bell Telephone Company, has and holds a valid lien over, upon and under the real estate described in the complaint for a right of way and easement for its lines of telephone and telegraph, consisting of poles, wires, cables, conduits, guys, anchors and other necessary fixtures for the operation of its said lines, all as appears from Miscellaneous Record 20, page 415, of the Records of the Recorder's Office of Hendricks County, Indiana, and any sale or sales of the real estate described in the complaint shall be made subject to said right of way and lien;

The court finds that defendant, The Ohio Oil Company, has and holds a valid and subsisting lien for a right of way and easement over, upon and under the following real estate described in the complaint, to-wit:-

> 77 Acres, more or less, in Sections 1 and 12, Township 15 North, Range 1 West, bounded on the North by Federal Route No. 36, on the East by lands of Sarah and Richard Green, and Ralph Nogelson, on the South by the C.C.C. & St. L. R.R., and on the West by lands of S.O. and Laura Stewart,

for the purpose of erecting, maintaining, operating, replacing and removing a pipe line, and any sale made of said real estate, under these proceedings, shall be made subject to said easement and lien;

The court finds for defendant, Fletcher Joint Stock Land Bank of Indianapolis, upon its answer to the complaint; that it has and holds a valid mortgage upon the following real estate described in the complaint, to-wit:-

> The East half of the North West quarter of Section 13, Township 15 North and Range 1 West, containing 80 acres, more or less;

That said mortgage is dated December 29th, 1923, recorded in Mortgage Record 79, page 389 of the Records of the Recorder's Office of Hendricks County, Indiana, and originally secured the payment of a debt and loan of $3,800.00, some balance of which remains unpaid at this date; that said mortgage is a first and prior lien on said real estate, and in any sale made of said real estate, under these proceedings, said lien shall be transferred to and attach to the proceeds of said sale in the hands of the Commissioner appointed to make sale of the real estate described in the complaint;

The court finds for defendant, The Prudential Insurance Company of America, upon its answer to the complaint; that it has and holds a valid mortgage upon the following real estate described in the complaint, to-wit:-

> A part of the East Half of the Southwest Quarter of Section 1, and a part of the East Half of the Northwest Quarter of Section 12, all in Township 15 North, Range 1 West, of the Second Principal Meridian, bounded and described as follows: BEGINNING on the East line of the East half of the Southwest Quarter of said Section 1, where the center line of the Indianapolis & Rockville Road crosses the same at a point 27.30 rods North of the Southeast corner of said Half Quarter Section; thence West with the center line of said road, 80.855 rods to the West line of said East Half of the Southwest Quarter of said Section 1; thence South with said West line and the West line of the East Half of the Northwest Quarter of said Section 12, 113.66 rods to the North line of the right-of-way of the Indianapolis & St. Louis (Big Four) Railroad; Thence East with the North line of said right-of-way, 80.855 rods to the East line of the East Half of the Northwest Quarter of said Section 12; thence North on said line and the East line of the East Half of said Southwest Quarter of said Section 1, 112.80 rods to the place of beginning, containing 57.22 acres, more or less, in Center Township, Hendricks County, Indiana;

that said mortgage is dated August 31st, 1940, recorded in Mortgage Record 107, page 236, of the Records of the Recorder's Office of Hendricks County, Indiana, and was given to secure the payment of a debt and laon of $3400.00, all of which remains unpaid, together with some interest; that said mortgage is a first and prior lien on the real estate in

said mortgage described, and in any sale made of said real estate, pursuant to these proceedings, the same shall be made subject to said mortgage.

The court finds that defendant, Fannie Dyer, wife of plaintiff, Wayne Dyer, has filed her answer of Disclaimer, disclaiming any interest whatever in and to any of the real estate described in the complaint, as the wife of Wayne Dyer, or from any source whatsoever, and praying judgment for her costs.

The court further finds that defendant, Clara E. Dyer, wife of Laurel Dyer, has likewise filed his answer of disclaimer, disclaiming any interest whatever in and to the real estate described in the complaint, as the wife of Laurel Dyer or from any source whatsoever, and praying judgment for her costs.

The court further finds that the plaintiffs are the owners in fee simple of the real estate described in the complaint and have interests therein as follows:

That plaintiff, Pearl D. Frakes, single, is the owner of an undivided one-half (1/2) of said real estate, and that each of the other plaintiffs, namely: Wayne Dyer, married; Mary Kathryn Dyer, single; Laurel Dyer, married, and George Dyer, single, is the owner of an undivided one-eighth (1/8) of said real estate.

The Court further finds from the evidence that the real estate described in the complaint, to-wit:-

The East half of the North West quarter of Section 13, Township 15 North and Range 1 West, containing 80 acres more or less. Also,
A part of the East half of the South West quarter of Section 1, and a part of the East half of the North West quarter of Section 12, all in Township 15 North, Range 1 West, and bounded as follows, to-wit: Beginning on the East line of the East half of the South West quarter of said Section 1, where the center line of the Indianapolis and Rockville Road crosses the same at a point 27.30 rods North of the Southeast corner of said half quarter Section; thence West with the center line of said road 80.855 rods to the West line of said East half of said South West quarter of said Section 1; thence South with the said West line and the West line of the East half of the North West quarter of said Section 12, 113.66 rods to the North line of the right of way of the C.C.C. & St. L. (Big Four) Rilway Company; thence East on the North line of said right-of-way 80.855 rods to the East line of the East half of the North West quarter of said Section 12; thence North with said lime and on the East line of the East half of said South West quarter of said Section 1, 112.80 rods to the place of beginning, estimated to contain 57.22 acres more or less. Also,
A part of the South West quarter of Section 1 and a part of the West half of the North West quarter of Section 12, all in Township 15 North, Range 1 West and bounded as follows, to-wit:-Beginning on the East line of the West half of the North West quarter of said Section 12 where the same intersects the North line of the Right of Way of the C.C.C. and St. L. Railway Company and running thence North on the East line of said West half quarter and the East line of the West half of the South West quarter of said Section 1, Township and Range aforesaid 113.66 rods to the center of the Rockville Road; thence West in the center of said road 28.155 rods; thence South with the Section bearing 113.66 rods to the North line of the Right of Way of said Railway Company; thence East on said North line of said Right of Way 28.155 rods to the place of beginning. Containing 20 acres more or less;

cannot be divided without damage to the owners; that the same will have to be sold and the proceeds derived therefrom divided according to the respective interests of said owners.

It is, therefore, considered and adjudged by the court that said real estate, to-wit:-

The East half of the North West quarter of Section 13, Township 15 North and Range 1 West, containing 80 acres more or less. Also,
A part of the East half of the South West quarter of Section 1, and a part of the East half of the North West quarter of Section 12, all in Township 15 North, Range 1 West, and bounded as follows, to-wit: Beginning on the East line of the East half of the South West quarter of said Section 1, where the center line of the Indianapolis and Rockville Road crosses the same at a point 27.30 rods North of the Southeast corner of said half quarter Section; thence West with the center line of said road 80.855 rods to the West line of said East half of said South West quarter of said Section 1; thence South with the said West line and the West line of the East half of the North West quarter of said Section 12, 113.66 rods to the North line of the right of way of the C.C.C. & St. L. (Big Four) Railway Company; thence East on the North line of said right-of-way 80.855 rods to the East line of the East half of the North West quarter of said Section 12; thence North with said line and on the East line of the East half of said South West quarter of said Section 1, 112.80 rods to the place of beginning, estimated to contain 57.22 acres more or less. Also,
A part of the South West quarter of Section 1 and a part of the West half of the North West quarter of Section 12, all in Township 15 North, Range 1 West and bounded as follows, to-wit:- Beginning on the East line of the West half of the North West quarter of said Section 12 where the same intersects the North line of the

Right of Way of the C.C.C. and St. L. Railway Company and running thence North on the East line of said West half quarter and the East line of the West half of the South West quarter of said Section 1, Township and Range aforesaid 113.66 rods to the center of the Rockville Road; thence West in the center of said road 28.155 rods; thence South with the Section bearing 113.66 rods to the North line of the Right of Way of said Railway Company; thence East on said North line of said Right of Way 28.155 rods to the place of beginning. Containing 20 acres more or less;

be appraised in parcels of 80 Acres; 57.22 acres and 20 acres, as provided by law, and sold at private sale at The First National Bank of Danville, at the Town of Danville, as lands are sold by the Sheriff on execution, upon notice as follows, to-wit:-By the posting of written or printed notices of such sale in at least five public places in Center Township, Hendricks County, Indiana, the Township of Hendricks County, Indiana, in which said real estate is located; that said notices be so posted at least ten days before the day of sale, and that said sale be made for not less than the full appraised value of said real estate, or of any parcel thereof sold separate from the residue; that said sale shall be made subject to the approval of the court and for cash, and that out of the proceeds of said sale the costs of this action and of the sale be first paid and that the balance be paid to the owners of said real estate, parties to this action, in proportions equal to their several interests in said real estate, as herein set out.

It is further considered and adjudged by the court that The First National Bank of Danville be, and it is hereby, appointed Commissioner to make sale of said real estate, and that it be allowed the sum of $_____for its services as Commissioner, to be deducted from the purchase money, and to be included as a part of the costs of sale.

It is further considered and adjudged that on the sale of said real estate said Commissioner issue to the purchaser a commissioner's deed therefor and report the same to this court for approval, together with a report of its duties in the premises, which shall be placed upon record, as required by law.

And now comes the said, The First National Bank of Danville, and the said, The First National Bank of Danville takes and subscribes an oath to faithfully discharge its duties as such Commissioner, and the oath of said Commissioner attached thereto, are as follows, to-wit:-(Here Insert).

And said Commissioner is ordered to make sale of the real estate described in the complaint, as a whole, or in parcels, as the interests of the owners seem best served, and should it happen that a sale of said real estate is not made on the day fixed for the sale then said Commissioner is authorized to continue such sale from day to day thereafter until all of said real estate is sold.

It is further adjudged and ordered by the Court that any claim or claims allowed defendant, The Prudential Insurance Company of America, by the Court for abstract work, or for the services of an attorney rendered said defendant, in connection with this proceedings, shall be paid said defendant by the Commissioner appointed to make sale of the real estate ordered sold herein; that the same shall be paid out of the funds derived from the sale of the 57.22 acre tract and not otherwise.

And said Commissioner is ordered to make due report of its doings under this appointment. And time is given.

Wednesday, May 13th, 1942, and the 9th day of the May Term, 1942.

PLUMBERS SUPPLY COMPANY)
VS) # 16609
MILTON C. LOCKE)

Comes now the plaintiff, and asks the Court leave to amend their complaint herein, by showing the correct first name of the defendant as Melvin. Leave is granted on condition that alias summons be issued in the corrected name.

Complaint is amended, and alias summons is ordered issued to the Sheriff of Hendricks County, Indiana, to be served on the defendant, Melvin C. Locke, said summons to be made returnable, May 27th, 1942.

STATE OF INDIANA)
VS) # 16603
EMMA HAYNES)
ERNEST HAYNES)
LUKE TRENT)

Come now the defendants, Emma Haynes and Ernest Haynes, and file exceptions to appraisers report and award of appraisers, which exceptions are in the following words and figures, to-wit: (H.I.).

LILLIE SCALF)
VS) # 16621 ENTRY ON DISMISSAL
ELECTRIC BUILDING COMPANY, INC.,)
INDIANAPOLIS POWER & LIGHT COMPANY,)
and ZURICH GENERAL ACCIDENT &)
LIABILITY INSURANCE COMPANY, LTD.)

Come now the parties in the above entitled cause of action and plaintiff files her motion to dismiss, causes paid, with prejudice, which said motion is in the following words and figures, to-wit:

H. I.

And the court having examined said motion and being fully advised in the premises finds that the costs herein have been paid and that all matters concerning the allegations of plaintiff's complaint have been fully compromised and settled between the parties, and that said plaintiff's motion should be sustained and that this cause should be dismissed, costs paid, with prejudice against the right of the plaintiff to reinstate same or to ever again bring or cause to be brought any action at law or equity concerning the allegations of plaintiff's complaint.

IT IS THEREFORE, ORDERED, DECREED AND ADJUDGED that this cause be and is hereby dismissed, costs paid, with prejudice against the right of the plaintiff to reinstate same or to ever again bring or cause to be brought an action at law or equity concerning the matters set forth in plaintiff's complaint.

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

Horace L. Hanna, Judge.

Thursday, May 14th, 1942, and the 10th day of the May Term, 1942.

Thursday Morning, May 14th, 1942.

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

ILAMAE WRIGHT)
VS) # 16524
UNITED TAXI CO., 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: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, and this cause is dismissed, costs paid.

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

STATE OF INDIANA)
VS) # 8232
FRANKLIN EARL BURTON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Franklin Earl Burton, in his own proper person, and said defendant is duly arraigned in open court and pleads not guilty of assault.

The Court fixes bond of the defendant at $300.00.

VADA MASTEN)
VS) # 16513
SANDERS W. MASTEN)

Comes now the plaintiff, and asks leave to file amended complaint herein. The Court being sufficiently advised, now grants leave, and the plaintiff files amended complaint asking for absolute divorce, which amended complaint is in the words and figures following, to-wit: (H.I.).

The defendant is ruled to answer plaintiff's amended complaint on or before May 19th, 1942.

EDNA GILES, ADMINISTRATRIX OF THE)
ESTATE OF WILLIAM T. BRANSON)
VS) # 16544
PENNSYLVANIA RAILROAD CO., ET AL.)

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 Maloney, Woodson Darnell, Frank Rhoades, Ernest Herringlake, John A. Schenck, Grover Bailey, Emory Merritt, Lola Adams, Lulu Wills, Zella Ladd, Orville English and Harry Wilson, twelve good and lawful men and women, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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 now allowed

to separate until 9:00 o'clock A. M., May 15th, 1942, under proper instructions of the Court, as to their duties during separation.

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 15th, 1942.

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

HOLLIE HENRY)
VS) # 16563
DANIEL CORSARO)

Comes now the plaintiff, and files amended complaint herein, which amended complaint is in the words and figures following, to-wit: (H.I.).

The defendant is now ruled to answer plaintiff's amended complaint on or before May 25th, 1942.

T. M. OVERLEY)
VS) # 16647
CARL D. HILL)

The defendant is ruled to answer on or before May 26th, 192.

STATE OF INDIANA, ON THE)
RELATION OF THE INDIANA)
STATE BOARD OF MEDICAL)
REGISTRATION AND EXAMINATION)
VS) # 16644
GEORGE R. OSBORNE)

The defendant is ruled to answer on or before May 26th, 1942.

MARVIN BEECHAM)
VS) # 16631
WILLIAM HERRINGLAKE)

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

STATE OF INDIANA)
VS) # 8232
FRANKLIN EARL BURTON)

Comes now the State of Indiana, by George W. Hadley, Prosecuting Attorney, and comes also the defendant, Franklin Earl Burton, in his own proper person, and said defendant is now allowed to go on his own recognizance and this cause is now continued.

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 16th, 1942.

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

EDNA GILES, ADMINISTRATRIX)
OF THE ESTATE OF WILLIAM T.)
BRANSON)
VS) # 16544 (This entry should be of May 15th, 1942.)
PENNSYLVANIA RAILROAD CO., ET AL.)

Come now the parties, and the jury is again brought into Court and evidence is continued and completed as to plaintiff. At the completion of plaintiff's evidence, the defendants separately and severally file motion to instruct the jury to return a verdict for the defendant, defendants each severally ask that if motion is overruled, that they be permitted to introduce their evidence, 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, overrules said motion and refuses to give such instruction, to which ruling of the Court the defendants separately and severally object and except.

Evidence is continued but not completed, and the jury is allowed to separate until 9:00 o'clock A. M., May 16th, 1942, under proper instructions of the Court as to their duties during separation.

EDNA GILES, ADMINISTRATRIX)
OF THE ESTATE OF WILLIAM T.)
BRANSON)
VS) # 16544
PENNSYLVANIA RAILROAD CO., ET AL.)

Come now the parties, and the jury is again brought into Court and evidence is continued and completed.

The defendant files motion for Court to order jury to view the seen of the accident, which motion is in the following words and figures, to-wit: (H.I.). The Court sustains said motion, and the Court appoints Ernest Bell, Bailiff of this Court, to conduct said jury in a body under his charge to the place the accident occurred in this proceeding, and reads to said jury Section 2-2014 Burns Indiana Statutes 1933, and also instructs said jury of the purpose of viewing said premises in the following words and figures, to-wit: (H.I.). The jury in charge of sworn officer of this court, now leaves to view premises.

The defendants, at the completion of all the evidence, move the Court to instruct the jury to return a verdict for the defendants and each of them, which motion is in the words and figures following, to-wit: (H.I.). The Court being duly advised, now refuses to give said instruction, to which refusal of the Court to give said instruction, the defendants separately and severally object and except.

The jury is brought into Court in charge of the bailiff, immediately upon their return from inspecting premises.

Jury is now allowed to separate until May 18th, 1942, at 9:00 o'clock A. M. under proper instructions of the Court as to their duties during separation.

CHARLES P. TYRE)
VS) # 15932
CITY OF LEBANON,)
A MUNICIPALITY)

Comes now the defenda,t City of Lebanon, by counsel, and files its answer in general denial to plaintiff's amended complaint, which answer is general denial is in the following words and figures, to-wit: (H.I.).

C. C. Gillen

C. C. Gillen, 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, May 18th, 1942.

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

EDNA GILES, ADMINISTRATRIX)
OF THE ESTATE OF WILLIAM T.)
BRANSON)
VS) # 16544
PENNSYLVANIA RAILROAD CO.,)
ET AL.)

Comes now the plaintiff, at the close of all the evidence, and tenders to the Court instructions numbered one to eight, both inclusive, which instructions are in the words and figures following, to-wit: (H.I.), with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury.

Come now the defendants at the close of all the evidence and tender to the Court instructions numbered one to thirty-two, both inclusive, which instructions are in the words and figures following, to-wit: (H.I.), with written request therefor to instruct the jury in writing and to indicate before argument the instructions that will be given to the jury.

And now the Court indicates by written memorandum all instructions that will be given and all instructions that will be refused by the Court. The Court indicates that it will give instructions numbered 3, 5, 7 and 8 tendered by the plaintiff and will refuse to give instructions numbered 1, 2, 4 and 6 tendered by the plaintiff. The Court indicates that it will give instructions numbered 5, 15, 19, 21, 25, 27 and 30 tendered by the defendants, and will refuse to give instructions numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 22, 23, 24, 26, 28, 29, 31 and 32, tendered by the defendants.

The Court now tenders to the plaintiff and to the defendants the instructions to be given by the Court of its own motion, said instructions being numbered one to twenty-two, both inclusive, which instructions are in the words and figures following, to-wit: (H.I.).

Come now the defendants, at the close of the evidence and before the beginning of argument and files request for interrogatories numbered one to twenty-three, both inclusive, which request is in the words and figures, following, to-wit: (H.I.), and requests the Court to instruct the jury that if they return a general verdict in said cause, then and in that event they shall answer said interrogatories. Plaintiff files objections to the Court's giving to the jury interrogatories numbered 19, 20, 21 and 22, which objections are in the words and figures following, to-wit: (H.I.), and the Court being duly advised, now overrules plaintiff's objections to defendants' interrogatories, to which ruling of the Court the plaintiff objects and excepts. Plaintiff does not except to the giving of any instructions given by the Court of its own motion or to the giving or refusing to give any of instructions tendered by the plaintiff or to the giving of any instruction tendered by the defendants.

Come now the defendants, at the close of the evidence, and before the beginning of argument and after all instructions had been submitted and the Court had indicated which instructions it would give and which instructions it would refuse to give

and the defendants now object and except to the Court's refusal to give instructions numbered 7, 13, 14, 17, 20, 26, 29, 31 and 32, tendered by the defendant, which objections and the reasons for said objections and exceptions are in the following words and figures, to-wit: (H.I.).

Defendants at the close of the evidence and before the beginning of argument and after all instructions had been submitted and the Court had indicated which instructions it would give and which instructions it would refuse to give, now object and except to instructions numbered 3, 5, 7 and 8 tendered and requested by the plaintiff herein, which objections and exceptions and the reasons for said objections and exceptions are in the following words and figures, to-wit: (H.I.).

And now this cause is presented to the jury in oral argument; and now the Court instructs the jury by giving to the jury of its own motion instructions numbered one to twenty-two, both inclusive. And the Court gives to the jury instructions numbered 3, 5, 7 and 8 tendered by the plaintiff, and the Court refuses to give instructions numbered 1, 2, 4 and 6 tendered by the plaintiff. Now the Court gives to the jury instructions numbered 5, 15, 19, 21, 25, 27 and 30, tendered by the defendants and the Court refuses to give instructions numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 22, 23, 24, 26, 28, 29, 31 and 32, tendered by the defendants.

Now all instructions, including those tendered, given and refused, together with the Court's memorandum thereon, and the written objections and exceptions of the plaintiff and of the defendants are ordered filed, and filed and ordered made, and made a part of the record in this cause.

Court presents interrogatories to jury and directs jury to answer interrogatories.

And now the jury retires to deliberate upon its verdict.

Now the jury returnes into open court its verdict in the following words and figures, to-wit:

STATE OF INDIANA, HENDRICKS CIRCUIT COURT,
HENDRICKS COUNTY, SS: MAY TERM, 1942.

EDNA GILES, Administratrix of the Estate of William T. Branson
vs. No. 16544.
PENNSYLVANIA RAILROAD COMPANY, a corporation
PITTSBURGH, CINCINNATI, CHICAGO AND ST. LOUIS RAILROAD COMPANY, a corporation.
MERLE DREW

VERDICT.

We, the Jury, find for the defendants.

Frank Rhoades
Foreman of the Jury.

and the jury also returns it's answers to interrogatories numbered one to twenty-three, both inclusive, and which verdict and which interrogatories are each now received by the Court and each filed.

Jury is now discharged from further duties in this cause.

Monday, May 18th, 1942, and the 13th day of the May Term, 1942.

WILLIAM GIST)
VS) # 16651
HELEN GIST)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers 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, May 19th, 1942, and the 14th day of the May Term, 1942.

Tuesday Morning, May 19th, 1942.

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

CHARLES WELDON MARTIN)
HELEN JANE MARTIN)
VS) # 16646
EARL A. FERGUSON)

Comes now Hugh Ferguson, father of Earl A. Ferguson, and files petition to set aside appointment of Receiver and stay proceedings, which petition is in the following words and figures, to-wit: (H.I.).

HARVEY M. GENTRY)
CHARLES RUSHTON SMITH, PARTNERS)
DOING BUSINESS UNDER THE FIRM)
NAME AND STYLE OF H. M. GENTRY)
FURNITURE)
VS) # 16632
ELIZABETH M. SCHENCK)

Comes now the defendant, and files answer to paragraph one and two of plaintiffs' complaint, which answer is in the words and figures following, to-wit: (H.I.).

This cause being at issue, 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: Ernest Herringlake, Morris Hadley, Zella Ladd, Lula Wills, Edith M. Ryner, Lola Adams, Harry Wilson, Emery Merritt, Clarence Hamrick, Charles M. Brumfield, Orville English and Grover Bailey, twelve good and lawful men and women, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly 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 completed and the plaintiffs do not tender any instructions, nor request any instructions to be given to the jury. The defendant does not tender any instructions nor request any instructions to be given to the jury.

The Court now tenders to the plaintiffs and to the defendant the instructions to be given by the Court of its own motion, said instructions being numbered one to ten, both inclusive. Plaintiffs at the close of the evidence, and before the beginning of argument and after all instructions had been submitted to them by the Court do not object or except to any instruction tendered by the Court. Defendant at the close of the evidence and before the beginning of argument and after all instructions had been submitted to her by the Court does not object or except to any instruction tendered by the Court.

And now this cause is presented to the jury in oral argument; and now the Court instructs the jury by giving to the jury of its own motion instructions numbered one to ten, both inclusive. All instructions are now ordered filed, and filed, and ordered made and made a part of the record in this cause, without bill of exceptions.

Jury now retires to deliberate upon its verdict.

Now the jury returns into open court its verdict in the following words and figures, to-wit:

State of Indiana, In the Hendricks Circuit Court,

Hendricks County, SS: May Term, 1942.

Harvey M. Gentry

Charles Rushton Smith, partners doing business under the firm name and style of H. M. Gentry Furniture)

vs.) No. 16632

Elizabeth M. Schenck) VERDICT.

We, the Jury, find for the plaintiffs, and that they are entitled to the possession of the following named articles in controversy, towit: 1 Bed room Suite, 1 Breakfast Set 19X12 Wool rug, 1-5 tube Crossly Radio, 1 Coleman oil burner 1 Blue living room Suite, 1 Kitchen Cabinet & Steel utility Cabinet that the same are unlawfully detained by the defendant from the plaintiffs and that such articles are of the value of $350.00; and we assess the plaintiff's damages for the detention of said property at the sum of $None; and we also find that the following articles in controversy, towit: 1 General Electric Range, 1 Crossley Shelvador Electric Refrigerator are now uhlawfully detained by the defendant and that such articles are of the value of $250.00, and as to such articles we find for the defendant; and we also find that the defendant should recover herein the sum of $None in damages from the plaintiffs.

Ernest Heringlake
Foreman of the Jury.

which said verdict is now received by the Court and filed.

Jury is now discharged from further duties in this cause.

IRWIN R. BROWN, ET AL.)
VS) # 16652
MAX GOLDBERG)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are 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, May 20th, 1942.

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

MINNIE BOURNE)
VS) # 16274
LENA SHARTLE)

Comes now the defendant, and asks for extention of time to answer amended complaint. The Court being duly advised, now grants said request, and the defendant is ruled to answer amended complaint on or before May 25th, 1942.

GEORGE C. HARVEY)
VS) # 16371
HELEN CUSACK, ET AL.)

Comes now the commissioner, heretofore appointed by this Court in this proceeding, and files report herein, together with his resignation as such commissioner, which report and resignation is in the following words and figures, to-wit: (H.I.).

Hearing on report is set for May 25th, 1942, at 9:00 o'clock A. M., and the Clerk is to notify attorneys for plaintiff and attorneys for defendants of this hearing date.

WILLARD ENGLISH)
VS) # 16552
CASSUIS M. BOTTEMA, ET AL.)

Comes now the defendant, Charles M. Bottema, by counsel, and files answer in four paragraphs, which answer is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 8232
FRANKLIN EARL BURTON)

Comes now the person who was to report to this Court, as to the behavior of the defendant herein, and the Court being duly advised, now revokes it's order as to allowing said defendant to go on his own recognizance, and orders the sheriff to return said defendant to fail until further proceedings can be had in this cause.

THE FARMERS BANK, FRANKFORT, INDIANA)
PLAINTIFF,)
VS.) # 16553 Judgt. vs Defts. for $401.33 and Costs.
ELIZABETH WATSON,) D E C R E E J. D. 18, Page 269.
NOBLE T. WATSON,)
DEFENDANTS.)

Come now the parties, by counsel, and this cause being at issue upon plaintiff's complaint and the answer thereto of each and all defendants heretofore filed herein is now submitted to the court for trial, finding, and judgment without the intervention of a jury.

And the Court, having heard the evidence, and being duly advised in the premises, now finds for the plaintiff on each paragraph of its complaint and that the allegations of said complaint are true, and that there is due the plaintiff from the defendants, Elizabeth Watson and Noble T. Watson, on the notes sued upon in plaintiff's complaint the sum of $364.83, principal and accrued interest, and the further sum of $36.50 as a reasonable fee for services of plaintiff's attorney, and which sum plaintiff is entitled to recover from said defendants, and each of them, together with costs of this action taxed at $_____, all without relief from valuation or appraisement laws.

It is, therefore, considered, adjudged, and decreed by the court that plaintiff have and recover of and from said defendants, Elizabeth Watson and Noble T. Watson, the sum of $401.33, together with the costs of this action, and all accruing costs, without relief from valuation or appraisement laws, said judgment to bear interest at the rate of 6% per annum from rendition thereof until paid.

FLETCHER JOINT STOCK LAND BANK) Judgt. In Rem for $3,105.50 and Costs.
OF INDIANAPOLIS) J. D. 18, Page 269.
VS) CAUSE NO. 16582
SILAS H. WILSON, ET AL.) DECREE FORECLOSING REAL ESTATE MORTGAGE

1. Comes now the plaintiff, Fletcher Joint Stock Land Bank of Indianapolis, Indiana, by its attorneys, J. F. Beals and Zimri E. Dougan, and it is shown to the court by the writ of summonses issued herein and the sheriff's return of service thereon, which writs and returns are in the following words and figures, to-wit: (Here Insert). And now Hume & Gaston withdraw their appearance for all defendants heretofore entered for herein. That each of the defendants have been duly served with process in this cause more than ten days before the day fixed by plaintiff by endorsement on its complaint for said defendants, and each of them, to appear and answer said complaint, and more than ten days prior hereto.

2. And the defendants, Silas H. Wilson, Carson G. Wilson, Linnie Wilson, Harry C. Wilson, Eugene Wilson, Edith Wilson, Wayne Wilson, The County Department of Public Welfare of Hendricks County, Indiana, Nathalie E. Wheeler, Director, each failing to appear, either in person or by attorney, are all three times audibly called in open court but come not, and herein make default.

3. And this cause now being at issue upon plaintiff's complaint and the default of the above named defendants is now submitted to the court without the intervention of a 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 its complaint and finds the allegations thereof are true.

4. And the plaintiff by its attorneys now files herein the affidavit of a competent person showing that none of said defendants so defaulted are in the military service of the United State of America.

5. And the court now finds that defendants Silas H. Wilson, Carson G. Wilson, Harry C. Wilson, Eugene Wilson and Wayne Wilson are the owners of the title in and to the real estate described in plaintiff's mortgage all as alleged in plaintiff's complaint; that Silas H. Wilson is an unmarried man, and that Linnie Wilson, a defendant herein, is the wife of defendant Carson G. Wilson; that Harry C. Wilson, a defendant, is unmarried, and that Edith Wilson, a defendant herein, is the wife of defendant Eugene Wilson, and that Wayne Wilson is an unmarried man; that the wifes of the

above defendants as herein above set out have no right, title or interest in or to the real estate except as said waives respectively.

6. The court finds that the County Department of Public Welfare of Hendricks County, Indiana, Nathalie E. Wheeler, Director, a defendant herein, has a lien upon the real estate described in plaintiff's complaint on account of advances of old age pension to Angeline Emma Wilson, no deceased, a former owner of an interest in said real estate, but that said lien is inferior and subject to the lien of plaintiff's mortgage herein, and that said defendant has no other right, title or interest in and to said real estate.

7. The court further finds that plaintiff, as authorized by its mortgage, has made advancements for the payment of taxes, insurance, and other expenses as alleged in plaintiff's complaint, and that plaintiff is entitled to recover judgment herein for the amount so advanced together with interest thereon at the rate of eight per cent per annum as set out in plaintiff's complaint.

8. The court further finds that the note and mortgage described in plaintiff's complaint provides for the payment of attorney's fees by the mortgagors in case of foreclosure, and that plaintiff has been compelled to secure the services of local counsel herein, and has agreed to pay said local counsel a reasonable fee for his services as such, and that $50.00 is a reasonable fee for plaintiff's local counsel.

9. The court further finds that mortgagors made default under the terms of said note and mortgage as set out in plaintiff's complaint, and said plaintiff exercised its option to declare the whole amount of the debt secured by said mortgage due and payable.

10. 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 due and sued upon, the following sums, towit:

Unpaid balance of note & installment due 10/6/39.	$2431.24
Interest thereon from 10/6/39 at 8%	496.94
Ditch Assessment paid 4/5/37.	2.55
Interest thereon at 8% from 4/5/47.	.85
Insurance policy paid by plaintiff 7/20/37.	4.15
Interest thereon from 7/20/37 at 8%	1.28
Taxes paid by plaintiff 4/5/40.	24.03
Interest thereon from April 5, 1940 at 8%	4.01
Abstract bill paid by plaintiff 4/18/41	9.25
Interest thereon from April 18, 1941 at 8%.	.80
Delinquent tax paid by plaintiff 4/18/41.	108.91
Interest thereon from 4/18/41 at 8%	9.54
Taxes paid by plaintiff 4/28/41	19.20
Interest thereon from 4/28/41 at 8%	1.63
Taxes paid by plaintiff 10/25/41.	19.20
Interest thereon from 10/25/41 at 5%.	.86
TOTAL	$3124.74

Payment has been made on said advancements as follows:

Paid on September 24, 1940.	$70.00	
Interest thereon from 9/24/40 at 8%	9.24	
Total	$79.24	79.24

leaving an unpaid balance of the debt secured by plaintiff's mortgage of $3055.50; that plaintiff is entitled to further judgment for local counsel fees in the sum of $50.00; making a total sum due plaintiff and secured by its mortgage of $3105.50, all of which is due and wholly unpaid.

11. The court further finds that one David L. Wilson and Emma Angeline Wilson, no both deceased, executed the note and mortgage described in plaintiff's complaint, and that the present owners of the title to said real estate acquired said title through inheritance as set out in plaintiff's complaint, but that they are not liable personally for the debt secured by plaintiff's mortgage.

12. The court further finds that plaintiff's mortgage described

in its complaint as against each and every one of the defendants in this suit, is a valid and subsisting lien as of its 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, and that the lien of said mortgage in said sum of $3,105.50 upon said real estate, is prior in time and superior in equity to the right, title, interest and claim of each of the defendants of this case, 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 in this case, except the statutory right of redemption fixed by law, in, to, and over said real estate, ought to be forever barred and foreclosed.

13. IT IS THEREFORE ordered, adjudged and decreed, that Fletcher Joint Stock Land Bank of Indianapolis, plaintiff herein, have judgment in rem in the sum of $3,105.50 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 East Quarter of the South East Quarter of Section 19, Township 17 North, Range 2 East bounded and described as follows, towit: Beginning 20 rods West of the South East corner of said Section 19, Township and Range aforesaid, thence North 40 degrees West 96 rods to the North West corner of the South East Quarter of the South East quarter of said Section 19; thence South 80 rods to the South line of said Quarter Quarter; thence East 60 rods to the place of beginning; except 1.50 acres off North end thereof for school purposes.

Also a part of the North West Quarter of the North East Quarter of Section 30, Township 17 North, Range 2 East, bounded and described as follows, towit: Beginning at the North East corner of said quarter quarter Section and running thence West 20 rods more or less to a point 59.4 rods East of the North Half Mile stone of said Section; thence South 80 rods to the South line of said Quarter Quarter Section; thence East 20 Rods to the South East corner of said Quarter Quarter Section; thence North 80 rods to the place of beginning;

Also a part of the North East Quarter of the North West Quarter of Section 30, Township 17 North, Range 2 East, bounded and described as follows, towit: Beginning at a point 14 rods and 9 links West of the North Half mile stone of said Section 30, thence West 65 Rods 16 links to the center North of the North West Quarter of said Section 30; thence South 25 rods 7 links; thence East 65 rods 15 links; thence North 25 rods 7 links to the place of beginning.

Also, the North East Quarter of the North East Quarter of Section 30, Township 17 North, Range 2 East.

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.

14. 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 $3,105.50, 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, said Sheriff shall pay the same to this court to be paid out on further order of the court.

15. IT IS FURTHER ORDERED BY THE COURT that upon the expiration of the statutory period of redemption, and the execution by the Sheriff of his Deed of conveyance of said mortgaged premises so sold and not redeemed, to the person or persons entitled thereto, the defendants to this suit, and each of them, and any one 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, a citation shall be entered in this cause for such person so holding possession to appear in this court upon date fixed to show cause, if any they have, why a writ of assistance should not be issued to the Sheriff of Hendricks County commanding him to remove such person or persons in possession of said real estate, and to put the holder of said Sheriff's Deed into the full and peaceable possession thereof.

16. IT IS FURTHER ORDERED BY THE COURT that a copy of this decree, duly certified under the hand of the Clerk and seal of this court, shall be full authority to the Sheriff to execute same.

17. ALL OF WHICH IS HEREBY 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, May 21st, 1942.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
) SS
HENDRICKS COUNTY)

IN HENDRICKS COUNTY CIRCUIT COURT

MAY TERM, 1942

CAUSE NO. 16653

STELLA FRANCE

VS

CARLOS FRANCE

RESTRAINING ORDER

Comes now plaintiff and submits to the court her complaint heretofore filed and said complaint is in the words and figures following: (here insert), and files her verified application for a restraining order without notice and for support pending the trial of said cause and suit money, which said aplication is in the words and figures following: (here insert)

And this proceeding is now submitted to the court and to the said judge thereof on said verified application for restraining order, and the court being fully advised in the premises finds for the plaintiff, and finds that plaintiff is entitled to a restraining order against the defendant as therein prayed for.

It is, therefore, ordered and considered by the court that said defendant, Carlos France, be hereby and he is, restrained from selling or in any way disposing or encumbering any personal property belonging to him and particularly property described as follows:

Ford Automobile
4 hogs
1 cow
1 new Farmall tractor and farm equipment
about 200 bushels of corn

until the further order of this court and he is further restrained from selling or otherwise disposing of any property belonging to this plaintiff particularly the property described as follows:

1 cow and calf
1 sow and 6 pigs
household furnishings and equipment
about 5 doz. chickens.

until the further order of this court.

It is further ordered that there issue to the sheriff of said county a certified copy of this order and that he be, and he hereby is, directed to serve the same forthwith and to make due return thereof.

Dated this 21st. day of May, 1942.

ETHEL M. BUCHANAN, DOING BUSINESS)
AS STATE AUDIT BUREAU)
VS) # 16654
WILLIAM H. RICHARDSON)

Comes now the Clerk of the Marion Superior Court, and files transcript and papers on change of venue from the Marion Superior Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 22nd, 1942.

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

RICHARD KIRKHAM)
VS) # 16570
UNITED TAXI COMPANY,)
INC., ET AL.)

The defendants are ruled to answer complaint herein on or before May 25th, 1942.

LESTER E. SCHENCK)
VS) # 16614
ELIZABETH SCHENCK)

The defendant is ruled to answer on or before May 30th, 1942.

NATIONAL CYLENDER GAS CO.)
VS) # 16529
RALPH PARSONS)

Comes now the plaintiff, and asks the Court for a rule requiring the defendant to answer complaint herein. The Court being duly advised, now sustains said motion, and the defendant is ruled to answer complaint herein on or before June 3rd, 1942.

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.'" and amendatory and supplemental acts thereto, (same being Section 64-1201 Burns 1933) 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:

Garland T. White	Guilford Township	Republican
Frank Hays	Marion Township	Democrat

Said appointments are each made for the annual session of said Board for the year 1942.

Dated May 21, 1942.

Horace L. Hanna
Judge Hendricks Circuit Court.

WILLIAM H. THOMAS)
VS) # 16619
EFFIE M. JONES)
WILLIAM L. JONES)

The defendants are ruled to answer complaint herein on or before May 30th, 1942.

JESSE BARNES, ADMINISTRATOR)
OF THE ESTATE OF CHARLES RAGLAND,)
DECEASED.)
VS) # 16602
CLARENCE WILDMAN, ET AL.)

Come now the defendants, Clarence Wildman and Dorthy Wildman, and file demurrer to complaint herein, which demurrer 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 L. Hanna, Judge.

Saturday Morning, May 23rd, 1942.

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

GLADYS McCARTY)
VS) # 16313
CLYDE McCARTY)

Comes now the defendant, and files cross-complaint herein, which cross-complaint is in the words and figures following, to-wit: (H.I.).

VADA B. MASTEN)
VS) # 16513
SANDERS W. MASTEN) DECREE.

Comes now the plaintiff and the above cause is submitted to the court for trial and evidence heard. And the court being duly advised in the premises, finds for the plaintiff on her amended complaint for absolute divorce and against the defendant upon defendant's cross-complaint.

It is therefore considered, ordered and decreed by the court that the plaintiff, Vada B. Masten, be and she is hereby divorced from Sanders W. Masten and the bonds of matrimony heretofore existing between said parties are hereby dissolved.

It is further considered and ordered by this court that the defendant, Sanders W. Masten, deliver to Vada B. Masten at the Harry Martin Residence near Pittsboro, Indiana, on May 26, 1942, the following described personal property, which is the property of said plaintiff, Vada B. Masten, towit: one bridge lamp, one floor lamp, one table lamp, 1 breakfast suite, five pieces, one chest of drawers, one studio couch, one mirror, one leather hassock, one coffee table.

Costs versus defendant.

FLORA YOUNG)
VS) # 16545
UNITED TAXI COMPANY, INC.)

The defendant is ruled to answer complaint herein on or before May 29th, 1942.

RICHARD KIRKHAM)
VS) # 16570
UNITED TAXI COMPANY,)
INC., ET AL.)

Comes now the defendant, and files motion and affidavit for continuance, which motion and affidavit are in the words and figures following, to-wit: (H.I.).

The Court having seen and examined the same, and sustains said motion for continuance, and fixes trial date herein July 16th, 1942.

JOE GOODE, DOING BUSINESS)
AS GOODE & GOODE)
VS) # 16596
ROLAND CALBERT, ET AL.)

Comes now the plaintiff, 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: (H.I.).

The Court having seen and examined said motion, now sustains the same, and this cause is dismissed, costs paid.

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

WILLIAM GIST)
VS) # 16651
HELEN GIST)

Comes now the plaintiff, and shows to the Court the summons and the return thereon issued to the Sheriff of Marion County, Indiana, which summons is in the following words and figures, to-wit: (H.I.), 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 16th day of March, 1942, at which time said cause was made returnable by endorsement on plaintiff complaint, which endorsement was duly signed by the plaintiff's attorney. Now on motion of the plaintiff, said defendant is three times loudly called in open court and comes not and herein wholly makes default.

Comes now Archie J. Kahl, Prosecuting Attorney for this Judicial District, and enters his appearance herein and files answer denying the facts alleged in plaintiff's complaint, and asking that in the event a divorce is granted herein, that the defendant have her former name restored to her, which answer is in the words and figures following, to-wit: (H.I.).

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 the Court finds for the plaintiff and that the allegations of his complaint herein are true, and that the plaintiff is entitled to an absolute divorce from the defendant.

The Court further finds that the defendant should have her maiden name of Helen Pilgrim restored to her, the costs against the defendant, costs paid.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff be granted an absolute divorce from said defendant, Helen Gist, and that the maiden name of Helen Pilgrim, is restored to her. The defendant, Helen Gist, is to pay the costs of this action, which costs are now paid.

BETTY LOU WEAVER)
VS) # 16640
JAMES NOBLE WEAVER)

Comes now the defendant and files answer to plaintiff's complaint, which answer is in the words and figures following, 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.

Evidence is heard, and the Court finds for the plaintiff, that the

allegations of her complaint are true, and that the plaintiff is entitled to an absolute divorce from the defendant, all at the cost of the defendant.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony existing between plaintiff and defendant be dissolved, add the plaintiff be granted an absolute divorce from the defendant, and that the defendant, James Noble Weaver, 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 25th, 1942.

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

STATE OF INDIANA)
VS) # 8234
WARREN LISCO)

The Court of its own motion upon finding the age of the defendant herein, transfers this cause to the Juvenile Court under number 269.

STATE OF INDIANA)
VS) # 8233
ROBERT CASTETTER)

Comes now the State of Indiana, by A. J. Kahl, Prosecuting Attorney, and comes also the defendant, in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty of assault and battery.

The Court fixes the defendant's bond at $500.00.

MINNIE BOURNE)
VS) # 16274
LENA SHARTLE)

Comes now the defendant, and files demurrer separate and several to paragraphs one and two of amended complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

FRANCIS LINDSEY, BY LAWRENCE)
DAILEY, HER NEXT FRIEND)
VS) # 16591
UNITED TAXI CO., INC., ET AL.)

Comes now the plaintiff, by counsel, and files motion to dismiss this cause at the plaintiff's cost, and with prejudice against plaintiff, 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 premises, now sustains said motion, and this cause is dismissed, costs paid and with prejudice against plaintiff.

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

DANVILLE LOAN COMPANY)
VS) # 16109
OTTO C. LAAKMANN)

DECREE FORECLOSING CHATTEL MORTGAGE
Judgt. vs Deft. for $226.67 and Costs.
J. D. 18, Page 270.

Comes now the plaintiff in person and by counsel and it appearing to the satisfaction of the court, by the summons herein and the return of the Sheriff, endorsed thereon, which summons and return are in the following words and figures, to-wit: (H.I.). That the defendant, Otto C. Laakmann, has been duly served with process for more than ten days before the day fixed by the plaintiff by endorsement on its complaint for the defendant to appear and answer said complaint. Said defendant, Otto C.

Laakmann files answer in the following words and figures, to-wit: (H.I.). Comes now the plaintiff and dismisses said cause of action as to the defendant Charlotte M. Laakmann, which dismissal is of the following words and figures, to-wit: (H.I.).

Whereupon said cause being at issue it is submitted to the court for trial, finding and decree without the intervention of a jury. And the Court being advised in the premises finds that said defendant is indebted to said plaintiff in the principal sum of $275.00, together with interest thereon at 3% per month, of 30 days on any part of the unpaid balance not exceeding $150.00, and 1½% per month of 30 days on any remainder of the unpaid principal balance in excess of but not less than $150.00, from February 16, 1939, to date.

The court further finds that on February 16, 1939, the defendant executed a chattel Mortgage to the plaintiff herein on one (1) 1935 1½ Ton truck, Engine No. T5332249, Master Chevrolet, also 6 acres of tomatoes to be grown during 1939 on Otto C. Laakmann farm, Section 19 and 20, Township 17 Range 1 West, to secure the payment of said promissory note of equal date for $275.00.

It is further considered, adjudged and decreed by the court that the plaintiff recover of the defendant the sum of 226.67 dollars, including principal and interest on said note and his costs of this action.

It is further considered, adjudged and decreed by the court that plaintiff's chattel mortgage be foreclosed and that the goods and property therein named and described, to-wit: One (1) 1935, 1½ Ton truck, Engine No. T5332249, Master Chevrolet, also 6 acres of tomatoes to be grown during 1939 on Otto C. Laakmann farm, Section 19 & 20, Township 17 Range 1 West, or so much thereof as may be necessary for that purpose, be sold by the Sheriff of Hendricks County, Indiana, as personal property is sold on execution, said sale to e without relief from valuation and appraisement laws and in the event that said mortgaged goods 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 other goods and chattels, lands and tenaments of the defendant sufficient to execution, said sale to be made without relief of valuation or appraisement laws.

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 26th, 1942.

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

T. M. OVERLEY)
VS) # 16642
CARL D. HILL)

Comes now the defendant, by counsel, and files demurrer to plaintiff's complaint herein, which demurrer is in the words and figures following, to-wit: (H.I.), and oral argument is requested.

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 27th, 1942.

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

STATE OF INDIANA)
VS) # 8233 Judgt. vs Deft. for Costs.
ROBERT CASTETTER) J. D. 18, Page 270.

The Court finds that the defendant, Robert Castetter, has no means to employ an attorney, and appoints C. V. Sears to defend him.

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, Robert Castetter, in person and by his attorney, Charles V. Sears, and said defendant now withdraws his plea of not guilty and enters his plea of guilty of assault and battery.

It is, therefore, adjudged by the Court that said defendant for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for ninety days, and shall pay the costs of this action, taxed at _____dollars and _____ cents.

The Court now suspends the sentence to the Indiana Penal Farm on condition that said defendant behave well and does not use intoxicating liquors to excess and that he is not abusive to any members of his family.

The Court now appoints Nathalie Wheeler as parol agent in this case, to investigate and make report to this Court of any misconduct of defendant during his parol herein, and in the event said defendant violates any of the conditions of the suppension of his sentence herein, said suppension shall be immediately revoked and he shall be committed to Indiana Penal Farm under 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, May 28th, 1942.

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

PAUL B. HORNADAY)
FRED BRYANT)
WILLIAM P. BRYANT)
VS) # 16622
CLAUDE BRYANT)
NELLIE BRYANT)
EDWIN BRYANT)
THE PLAINFIELD BUILDING)
AND LOAN ASSOCIATION)

Comes now the plaintiff, and files amended complaint herein, which amended complaint is in the following words and figures, to-wit: (H.I.).

APPOINTMENT OF Dr. P. T. McClarnon AS A MEMBER
OF THE PUBLIC LIBRARY BOARD OF THE TOWN OF BROWNSBURG, INDIANA.

Comes now the Honorable Horace L. Hanna, Judge of the Hendricks Circuit Court, and files the following certificate of appointment, towit:

This is to certify that, pursuant to an Act, (Section 3) for the establishment, increase and maintenance of Public Libraries, etc., Approved March 4, 1901, and Amended March 10, 1921, Dr. P. T. McClarnon, well known to have been a resident of Town of Brownsburg, Lincoln Township, Hendricks County, Indiana, for more than five years last past, and all of said time having been more than twenty-five years of age, has been appointed by the undersigned Judge of the Hendricks Circuit Court as a member of the Public Library Board of the Town of Brownsburg, Indiana, the said Dr. P. T. McClarnon to serve two years from May 22nd, 1942, and until his assessor is appointed and qualified.

Horace L. Hanna
Judge Hendricks Circuit Court

STATE OF INDIANA, HENDRICKS COUNTY, SS:

I, Dr. P. T. McClarnon, swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and honestly, to the best of my skill and ability, perform my duties as a member of the Public Library Board of the Town of Brownsburg, Indiana, so help me God.

Dr. P. T. McClarnon

Subscribed and sworn to before me, this 28 day of May, 1942.

(SEAL)
My commission expires, Jan. 11, 1945.

Nellie White
Notary Public

APPOINTMENT OF DR. A. N. SCUDDER AS A MEMBER
OF THE PUBLIC LIBRARY BOARD OF THE TOWN OF BROWNSBURG, INDIANA.

Comes now the Honorable Horace L. Hanna, Judge of the Hendricks Circuit Court, and files the following certificate of appointment, towit:

This is to certify that, pursuant to an Act, (Section 3) for the establishment, increase and maintenance of Public Libraries, etc., Approved March 4, 1901, and Amended March 10, 1921, Dr. A. N. Scudder, well known to have been a resident of Town of Brownsburg, Lincoln Township, Hendricks County, Indiana, for more than five years last

past, and all of said time having been more than twenty-five years of age, has been appointed by the undersigned Judge of the Hendricks Circuit Court as a member of the Public Library Board of the Town of Brownsburg, Indiana, the said Dr. A. N. Scudder to serve two years from May 22nd, 1942, and untilhis successor is appointed and qualified.

Horace L. Hanna
Judge Hendricks Circuit Court

STATE OF INDIANA, HENDRICKS COUNTY, SS:

I, Dr. A. N. Scudder, swear that I will support the Constitution of the United State and the Constitution of the State of Indiana, and that I will faithfully and honestly, to the best of my skill and ability, perform my duties as a member of the Public Library Board of the Town of Brownsburg, Indiana, so help me God.

A. N. Scudder, M.D.

Subscribed and sworn to before me, this 23 day of May, 1942.

(SEAL)
My commission expires, Sept. 12-1944

E. W. Black
Notary Public

APPOINTMENT OF Roy Lingeman AS A MEMBER
OF THE PUBLIC LIBRARY BOARD OF THE TOWN OF BROWNSBURG, INDIANA.

Comes now the Honorable Horace L. Hanna, Judge of the Hendricks Circuit Court, and files the following certificate of appointment, towit:

This is to certify that, pursuant to an Act, (Section 3) for the establishment, increase and maintenance of Public Libraries, etc., Approved March 4, 1901, and Amended March 10, 1921, Roy Lingeman, well known to have been a resident of Lincoln Township, Hendricks Counth, Indiana, for more than five years last past, and all of said time having been more than twenty-five years of age, had been appointed by the undersigned Judge of the Hendricks Circuit Court as a member of the Public Library Board of the Town of Brownsburg, Indiana, the said Roy Lingeman to serve two years from May 22nd, 1942, and until his successor is appointed and qualified.

Horace L. Hanna
Judge Hendricks Circuit Court

STATE OF INDIANA, HENDRICKS COUNTY, SS:

I, Roy Lingeman, swear that I will support the Constitution of the United State and the Constitution of the State of Indiana, and that I will faithfully and honestly, to the best of my skill and ability, perform my duties as a member of the Public Library Board of the Town of Brownsburg, Indiana, so help me God.

Roy J. Lingeman

Subscribed and sworn to before me, this 22nd day of May, 1942.

(SEAL)

Walter E. Hadley,
Clerk Hendricks Circuit Court

APPOINTMENT OF Genevieve Marvel AS A MEMBER
OF THE PUBLIC LIBRARY BOARD OF THE TOWN OF BROWNSBURG, INDIANA.

Comes now the Honorable Horace L. Hanna, Judge of the Hendricks Circuit Court, and files the following certificate of appointment, towit:

This is to certify that, pursuant to an Act, (Section 3) for the establishment, increase and maintenance of Public Libraries, etc., Approved March 4, 1901, and Amended March 10, 1921, Genevieve Marcel, well known to have been a resident of Brown Township, Hendricks County, Indiana, for more than five years last past, and all of said time having been more than twenty-five years of age, has been appointed by the undersigned Judge of the Hendricks Circuit Court as a member of the Public Library Board of the Town

of Brownsburg, Indiana, the said Genevieve Marvel to serve two years from May 22nd, 1942, and until her successor is appointed and qualified.

Horace L. Hanna
Judge Hendricks Circuit Court

STATE OF INDIANA, HENDRICKS COUNTY, SS:

I, Genevieve Marvel, swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and honestly, to the best of my skill and ability, perform my duties as a member of the public Library Board of the Town of Brownsburg, Indiana, so help me God.

Genevieve Marvel

Subscribed and sworn to before me, this 23 day of May, 1942.

(SEAL)

Grace Neal
Notary Public

My commission expires, My commission expires June 7, 1945.

MINNIE WILSON)
VS) # 16590 DECREE OF DIVORCE
ROY WILSON)

Judgt. vs Deft. for $2.75 Per Week, $30.00 Atty. Fee and Costs.
J. D. 18. Page 270.

Comes now the plaintiff in person and by counsel and it appearing to the satisfaction of the court, by t he summons herein and the return of the Sheriff's endorsement thereon, which summons and return are in the following words and figures, to-wit: (H.I.): That the defendant has been duly served with process for more than ten (10) days before the day fixed by the plaintiff, by endorsement on her complaint, for the defendant to appear and answer said complaint. Said defendant appearing by counsel, John T. Hume, said defendant now files answer,which answer is of the following words and figures, to-wit: (H.I.). Whereupon said cause is submitted to the court for hearing, trial and decree.

The court having heard the evidenceand being duly advised in the premises finds for the plaintiff that the allegations of her complaint are true and correct: That she is entitled to a decree of divorce from said defendant: That said defendant should pay the sum of $2.75 per week, payable twice monthly for the support and maintenance of his son William Wilson: That plaintiff is a fit and proper person to have the care, control and custody of said child: That said defendant should have reasonable visiting privileges with said child and that said defendant should have the privlege of having the said child on the last Sunday of each month, said child to be returned to his home of his mother in ample time for bed: That defendant should pay plaintiff's attorney $30.00, within fifteen (15) days after May 28th, 1942.

It is, therefore, considered and adjudged by the court that the plaintiff be granted an absolute divorce from said defendant: That she be granted the care, control and custody of their son William Wilson: That said Roy Wilson is ordered to pay for the support and maintenance of said child the sum of $2.75 per week, said payments to be made to the Clerk of the Hendricks Circuit Court and said Clerk is hereby authorized to pay said money to said plaintiff, payments to be made every two weeks, the first one to be made June 1st, 1942, and every two weeks thereafter. That said defendant is to have reasonable visiting privleges with said child and is to have said child on the last Sunday of each month and properly care for him and return the said child to the plaintiff's home in ample time for bed: That said defendant is hereby ordered to pay to plaintiff's attorney John A. Kendall the sum of $30.00, within fifteen (15) days from May 28th, 1942, and to pay the costs of this action, all of which is finally adjudged and decreed by this

court this 28th day of May 1942.

RALPH A. HANLEY)
VS) # 16657
NATIONAL TRANSIT CORP.)

Comes now the Clerk of the Marion Circuit Court, and files transcript and papers on change of venue from the Marion Circuit Court, which transcript and papers are in the words and figures following, to-wit: (H.I.).

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 29th, 1942.

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

STATE OF INDIANA)
VS) # 8232
FRANKLIN EARL BURTON)

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, Franklin Earl Burton, and the Court being duly advised, now allows said defendant to go on his own recognizance and this cause is continued.

C. I. T. CORPORATION)
VS) # 16625
LAWRENCE MARKER)

Comes now the defendant, and submits interrogatories one to three, both inclusive, and asks that plaintiff be ruled to answer same under oath, which interrogatories are in the words and figures following, to-wit: (H.I.).

The plaintiff is ruled to answer said interrogatories one to three, both inclusive, on or before June 15th, 1942, to which ruling of the Court the plaintiff objects and excepts.

LESTER E. SCHENCK)
VS) # 16614
ELIZABETH SCHENCK)

Comes now the defendant, and files affidavit for change of venue from Hendricks County, Indiana, which affidavit is in the following words and figures, to-wit: (H.I.).

RICHARD KIRKHAM)
VS) # 16570
UNITED TAXI COMPANY,)
INC., ET AL.)

Come now the defendants, and file answer in denial to plaintiff's complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

FLORA YOUNG)
VS) # 16545
UNITED TAXI COMPANY, INC.)

Comes now the defendant, and files motion to require the plaintiff to make her complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

Friday, May 29th, 1942, and the 23rd day of the May Term, 1942.

GLADYS McCARTY)

VS) # 16313

CLYDE McCARTY)

Comes now the defendant, and files answer in denial to complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

Said defendant also files answer in denial to cross-complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

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 the Court takes matter under advisement.

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

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday, May 30th, 1942, and the 24th day of the May Term, 1942.

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(NO COURT)

Monday Morning, June 1st, 1942.

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

STATE OF INDIANA)
VS) # 8236
PAULINE LEEPER BRIGHT)

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, Pauline Leeper Bright, in her own proper person, and also by her attorney, Charles V. Sears, and said defendant is duly arraigned in open court and pleads not guilty.

Court fixes bond at $250.00.

STATE OF INDIANA)
VS) # 8239 Judgt. vs Deft. for $25.00 Fine and Costs.
PAULINE LEEPER BRIGHT) J. D. 18, Page 271.

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, Pauline Leeper Bright, in her own proper person together with Charles V. Sears, her attorney, and said defendant is duly arraigned in open court and pleads guilty of reckless driving.

It is, therefore, adjudged by the Court that said defendant, Pauline Leeper Bright, for the offense by her committed shall be and she is fined twenty-five dollars and shall pay the costs of this action, taxed at _____dollars and _____ cents.

It is further adjudged by the Court that the defendant's operator's license be suspended for thirty days.

STATE OF INDIANA)
VS) # 8237 Judgt. vs Deft. for $10.00 Fine and Costs.
RAYMOND ROSE) J. D. 18, Page 271.

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, Raymond Rose, 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, Raymond Rose, for the offense by him committed shall be and he is fined ten dollars, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 8238 Judgt. vs Deft. for Costs.
ROBERT THOMPSON) J. D. 18, Page 271.

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, Robert Thompson, 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, Robert Thompson, for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for sixty days, and shall pay the costs of this action, taxed at _____ dollars and _____cents.

STATE OF INDIANA)
VS) # 8223
MOSE CHILDERS)

Comes now the defendant, Mose Childers, and shows to the Court that he has no property or financial means to employ an attorney, and that it will be necessary for the Court to appoint an attorney at this bar to defend him.

The Court being duly advised, now appoints Charles V. Sears, an attorney at this bar, to defend said Mose Childers.

LOUISE McCOY)
Plaintiff,)
vs.) # 16574 Judgt. vs Defts. for $9,000.00 & Costs.
NEW YORK CENTRAL RAILROAD) E N T R Y J. D. 18, Page 271.
COMPANY, and)
THE INDIANAPOLIS UNION RAILWAY)
COMPANY,)
Defendants.)

Come again the parties, plaintiff and defendants, by their respective counsel of record herein, and the Court having had under consideration the separate and several motion of the defendants for a new trial herein, now overrules said motion, to which ruling the defendants, separately and severally, at the time, except.

And the Court now enters judgment for the plaintiff, Louise McCoy, against the defendants, New York Central Railroad Company and The Indianapolis Union Railway Company, and each of them, on the verdict, in the sum of $9,000 and costs, to which the defendants, separately and severally, except.

And the defendants now separately and severally pray an appeal herein to the Appellate Court of Indiana, which appeal the Court now grants, and the defendants are given thirty (30) days within which to file herein an appeal bond in the penal sum of Eleven Thousand Dollars ($11,000), with Hartford Accident & Indemnity Company as its surety. And the defendants are given seventy (70) days in which to file herein a bill of exceptions containing all the evidence admitted or offered in the trial of this case.

INA M. PRICE)
VS) # 16613 Judgt. vs Deft. for $350.00 Alimony, $50.00 Add. Atty. Fee and Costs.
MAURICE G. PRICE) J. D. 18, Page 272.

Come now the parties, in person and by counsel, and each of them having filed briefs and the Court being duly advised, now finds for the plaintiff, that the allegations of plaintiff's complaint herein are true and that the plaintiff is entitled to an absolute divorce from the defendant, Maurice G. Price.

The Court further finds that the plaintiff is entitled to alimony in the sum of $350.00, and the Court further finds that said defendant, Maurice G. Price, should pay an additional sum to plaintiff's attorney herein, over the sum heretofore paid to said attorney, the sum of $50.00, and that said defendant shall pay the costs of this action, taxed at _____dollars and _____cents.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony 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 considered, ordered and adjudged by the Court, that the plaintiff, Ina M. Price, is entitled to alimony in the sum of $350.00, and that the defendant, Maurice G. Price, should pay an additional sum to plaintiff's attorney herein, over the sum heretofore paid to said attorney, the sum of $50.00, and that said defendant 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 R. Hanna, Judge.

Tuesday Morning, June 2nd, 1942.

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

BESSIE McCAMMACK)
VS) # 16660
LOWELL McCAMMACK) RESTRAINING ORDER

Comes now the plaintiff and submits to the court her complaint heretofore filed and said complaint is in the words and figures following: (here insert) and files her verified application for a restraining order without notice and for support pending the trial of said cause and for suit money, which said application is in the words and figures following: (here insert).

And this proceeding is now submitted to the court and to the said judge thereof on said verified application and restraining order, and the court being fully advised in the premises finds for the plaintiff, and finds that plaintiff is entitled to a restraining order against the defendant as therein prayed for.

It is, therefore, ordered and considered by the court that said defendant, Lowell McCammack be and he is, restrained from selling or in any way disposing of or encumbering any of the personal property which belongs to him including the contract of purchase of real estate and particularly from selling or disposing of a cow, calf, and about 85 chickens and household goods which the plaintiff is claiming belongs to herm until the further order of the court.

It is further ordered that there issue to the sheriff of said county a certified copy of this order and that he be, and he hereby is directed to serve the same forthwith and to make due return thereof.

Dated this 2nd day of June, 1942.

MARY E. MARTIN)
VS) # 16520
EMERALD MARTIN)
SADIE MARTIN)

Comes now the defendant, and files affidavit for change of venue from Hendricks County, Indiana, which motion is in the following words and figures, to-wit: (H.I.).

LESTER E. SCHENCK)
VS) # 16614
ELIZABETH SCHENCK)

Come now the parties, and the Court sustains motion of defendant for change of venue from Hendricks County, Indiana, heretofore filed,

The parties now strike counties adjoining Hendricks County, Indiana, and Montgomery County remaining, said cause is now ordered venued to Montgomery County, Indiana, and five days are given to perfect said change.

TRESSIE HAMILTON)
VS) # 16133
EARL HIGGINS)

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

The Court now orders alias summons issued to the Sheriff of Vigo County, Indiana, returnable June 22nd, 1942, said summons to be served on Earl Higgins.

FRED C. BECK, AS A RECEIVER)
OF REMEDICAL FINANCE)
VS) # 16416
HUBERT H. WOODSMALL, ET AL.)

Come now the parties, and oral argument is had on defendants' demurrer to plaintiff's complaint herein, and the Court takes ruling under advisement.

STATE OF INDIANA)
VS) # 8236
PAULINE LEEPER BRIGHT)

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and files motion to nolle the above cause, which motion is in the following words and figures, to-wit: (H.I.).

Said motion is read aloud in open court, and the court 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) #8222 Judgt. vs Deft. for $1.00 Fine & Costs.
MOSE CHILDERS) J. D. 18, Page 272.

The Court now appoints Charles V. Sears, Attorney, to defend the defendant.

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, in his own proper person together with his attorney, Charles V. Sears, and now the defendant asks to withdraw his plea of not guilty and enters his plea of guilty of petit larceny.

It is, therefore, adjudged by the Court that said defendant for the offense by him committed shall be fined one dollar, and shall be sentenced to the Indiana Penal Farm for a term of six months and shall pay the costs of this action, taxed at ____ dollars and ____cents.

The Court now suspends the sentence to the Indiana Penal Farm on condition that said defendant behave well and will pay the fine and costs in this cause within ninety days. Should said defendant not behave well, and not comply with all of the conditions of this parol or suspended sentence, the Court will revoke such suspention of sentence and immediately commit said defendant to the Indiana Penal Farm, and said defendant is now allowed to go on his own recognizance so long as he complies with the above conditions set forth herein, said defendant is to report in person to this Court every sixty days pending his parol herein.

STATE OF INDIANA)
VS) # 8223 Judgt. vs Deft. for $1.00 Fine & Costs.
MOSE CHILDERS) J. D. 18, Page 599.

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, Mose Childers, in his own proper person, and also by his attorney, Charles V. Sears, and said defendant now asks the Court to withdraw his plea herein of not guilty, which is granted by the Court, and now said defendant enters his plea of guilty herein of petit larceny.

It is, therefore, adjudged by the Court that said defendant for the offense by him committed shall be and he is fined one dollar, and shall be and he is sentenced to the Indiana Penal Farm for a period of six months, and shall pay the costs of this action, taxed at _____dollars and _____cents.

The Court now suspends the sentence to the Indiana Penal Farm on condition that said defendant behaves well and on condition that he pay the fine and costs in this cause within ninety days from this date. Said defendant is to report in person to this Court every sixty days pending his parol.

The defendant is allowed to go on his own recognizance so long as he complies with the conditions set forth herein. Should said defendant not comply with said conditions set forth in the suspension of his sentence herein, the Court will revoke such suspension of sentence and immediately commit said defendant to the Indiana Penal Farm under judgment of this cause.

STATE OF INDIANA)
VS) # 8224 Judgt. vs Deft. for $1.00 Fine & Costs.
MOSE CHILDERS) J. D. 18, Page 599.

The Court now appoints Charles V. Sears, an attorney at this bar, to defendant the defendant, said defendant being a pauper.

Comes now the State of Indiana, by Archie J. Kahl, Prosecuting Attorney, and comes also the defendant, in his own proper person and by his attorney, Charles V. Sears, and now said defendant asks to withdraw his plea of not guilty, which request is granted by the Court, and now said defendant pleads guilty of the above charge of petit larceny.

It is, therefore, adjudged by the Court that said defendant for the offense by him committed shall be and he is fined one dollar, and shall be and he is sentenced to the Indiana Penal Farm for the term of six months, and shall pay the costs of this action.

The Court now suspends the sentence to the Indiana Penal Farm on condition that said defendant behave well and pay said fine and costs herein within ninety days from this date and said defendant is to report in person to this Court every sixty days pending his parol under suspension of sentence herein.

The defendant, Mose Childers, is now allowed to go on his own recognizance so long as he complies with the conditions set forth herein. Should said defendant not comply with the conditions of suspension of sentence herein, the Court will revoke such suspension of sentence and immediately commit said defendant to the Indiana Penal Farm under the judgment in this cause.

Tuesday, June 2nd, 1942, and the 26th day of the May Term, 1942.

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

Record read and signed in open court.

Horace L. Hanna, Judge.


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