

Civil Case: Joseph D. Nuttman vs Philip Everhart

Name in Record	Reason for Being in Record	Date of Record
Philip Everhart	Gave promissory note for mortgage on real estate	Jan. 25, 1855
Joseph D. Nuttman	Sold real estate to Philip Everhart	
O. T. Hart	Recorder	
Joseph D. Nuttman	Filed to foreclose on mortgage of Philip Everhart	Jan. 7, 1857
Philip Everhart	Summoned to answer to J. D. Nuttman - forclose on mortgage	
James B. Simcoke	Clerk	

Roll no 41 (79)

Joseph D Nuttman

vs

Philip Everhart,

1855

Box 14.

This Indenture Witnesseth, That Philip Overhart

of Adams County, in the State of Indiana Mortgage and Warranty to

Joseph H. Atkinson of Adams County, in the State of Indiana for the sum of

seventy five dollars

the following Real Estate, situate in Adams County, in the State of Indiana, to-wit: The West half of the North West quarter of Sec 14, Township 22N, Range 14E, containing eighty acres

to secure the payment of ~~seventy five~~ seventy five dollars when it according to the tenor and effect of a certain promissory note bearing even date herewith, calling for seventy five dollars, payable on or before from date with interest from date, said note signed by said Philip Overhart

and the mortgagor expressly agrees to pay the sum of money above recited, without relief from valuation laws

En Witness Whereof, The mortgagor has hereunto set his hand and seal this 23<sup>rd</sup> day of January A. D. 1856.

(Attest  
C. L. Heath)

Philip Overhart

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

THE STATE OF INDIANA, Adams

COUNTY, SCT.

Before me, C. L. Heath

in and for said County, this 23<sup>rd</sup> day of January

Philip Overhart

1856

acknowledged the execution of the annexed Mortgage.  
Witness my hand and official seal, this day of

C. L. Heath

State of Indiana  
Adams County  
In the County of Adams, State of Indiana, 1857

Philip C. Nuttman, Plaintiff  
vs  
Philip Everhart, Defendant.  
Dated Jan 21st Nuttman complains  
of Philip Everhart and says that the defendant executed  
a mortgage conveying to the plaintiff the tract of land  
twelve acres, as described in the payment of a debt  
evidenced by a note, a copy of said note and the original mortgage  
under which amount amount to twenty five dollars which  
which yet remain unpaid. Wherefore he asks judgment  
for the sum of twenty five dollars and the foreclosure of the  
mortgage and sale of the property, or so much thereof  
as may be necessary to pay his said debt and the  
plaintiff avers that the defendant has no proceeding to make  
tender in law for the collection of said note and good  
other and proper relief. Wm. C. Spencer Attorney  
J. C. Nuttman

Copy of the Note  
Declarator January 25<sup>th</sup> 1857

773.50  
One year after date I promise to pay J. C. Nuttman  
or order seven and fifty dollars, with interest from date,  
without any relief whatever from valuation or  
appraisal laws  
Philip Everhart  
C. S. H. S.

THE STATE OF INDIANA.

TO THE SHERIFF OF Adams COUNTY.

You are hereby commanded to summon Philip Everhart

to appear in the Court of Common Pleas, of  
Adams County, Ind. on the second day of the next term thereof to be  
held at the Court House, in the Town of Decatur, on the 2<sup>nd</sup> day of  
February 1857 to answer the complaint of Joseph  
S. Nuttman to foreclose a mortgage  
and of this summons make due return

WITNESS, The Clerk and seal of the Court.

this 15<sup>th</sup> day of January 1857

James B. Smock Clerk

\$75.00

Specimen January 25<sup>th</sup> 1857  
One year after date I  
promise to pay J. C. Nuttman or order  
Seventy-five dollars, with interest from  
date, without any relief whatever from  
valuation or appraisal laws  
attest  
C. S. H. S.  
Philip Everhart