

J. A. Duer
against
Madison County et.al.

No. Chancery.

Default and Decree.

Now on this 5th day of April AD 1865 this cause came on to be heard and thereupon came the said J. A. Duer by his Attorney B. F. Murray and the said Madison County Iowa, A. D. Jones, Sophronia J. Jones, J. F. Hutchings, Mary E. Hutchings, M. C. Munger, Mary E. Munger and H. B. Wells the said defendants though each three times solemnly called came not but made default and it appearing to the Court that the said defendants had been duly and legally served with notice of the pendency of this suit it is ordered by the Court that a default be entered against all and each of the said defendants, and thereupon this cause came on for trial upon the petition exhibits and proofs of the said Plaintiff J. A. Duer, upon consideration whereof the Court finds that the equity of this cause is with the said Plaintiff J. A. Duer, that as alleged in said petition of J. A. Duer the said defendant A. D. Jones heretofore to wit on the 7th day of October AD 1850 did purchase of the County of Madison in the State of Iowa the following described real estate to wit, Lot six (6) in Block Twenty (20) in the Town of Winterset County and State aforesaid, that afterwards to wit on the 15th day of May AD 1855 for a valuable consideration the said defendant A. D. Jones, together and jointly with Sophronia J. Jones sold and transferred the said Lot six (6) Block Twenty (20) in Winterset County and State aforesaid to J. F. Hutchings. And that afterwards the said J. F. Hutchings defendant sold and agreed to convey and jointly with the said defendant Mary E. Hutchings his wife and attempted to convey and did convey the said Lot Six (6) Block

Twenty (20) in the Town County and State aforesaid to M. C. Munger. And that afterwards the said M. C. Munger defendant sold and agreed to convey and jointly with the said Mary E. Munger defendant his wife and attempted to convey and did convey on the 15th day of August A.D. 1856 said Lot Six (6) in Block Twenty (20) in the Town County and State aforesaid to W. B. Mills, and that afterwards to wit on the 28th day of August 1856 the said W. B. Mills for a valuable consideration attempted to convey and did convey to the Plaintiff herein T. A. Duer, the said real estate to wit Lot Six (6) Block Twenty (20) Town County and State aforesaid. That the said T. A. Duer by virtue of said sales is the absolute and sole owner of the said Real Estate. It is therefore ordered, adjudged and decreed by the Court that the legal title in and to said Lot Six (6) in Block Twenty (20) in the Town of Winterset County of Madison State of Iowa be and the same hereby is vested in the said T. A. Duer the said Plaintiff in fee simple, absolutely and solely forever the same as if the said M. C. Munger had got the deed for said real estate from J. J. Hutchings and Mary E. Hutchings, recorded in the office of the Recorder of Deeds in said Madison County Iowa. And it is further ordered by the Court that the Defendants Madison County Iowa. A. D. Jones. Sophronia J. Jones. J. J. Hutchings. Mary E. Hutchings. M. C. Munger. Mary E. Munger. W. B. Mills and all persons claiming them, any or either of them be and the same are hereby absolutely and forever barred and foreclosed of all right, title interest, property and estate in and to the same or any part of it.

J. H. Gray Judge

5th Judicial District of the State of Iowa

Filed for record May 2nd 1865 at 8½ o'clock A.M.

O. A. Moser Recorder