

C. B. Thompson

vs

Alfred E. Patent

Wm Wilson

Wesley Wilson

Mary E. Wilson

Alexander Wilson

Scicily A. Wilson

John Johnston &amp;

Catharine Johnston

Chancery No 18 March Term 1866

Now upon this 6<sup>th</sup> day of October 1866, it being the 6<sup>th</sup> day of the October term of the District Court of Madison County Iowa, for the year 1866 this cause came up for trial the plaintiff appearing by McPherson and Murray his Attorneys and the defendants Alfred E. Patent, Wm Wilson, Wesley Wilson, Mary E. Wilson, Alexander Wilson, Scicily A. Wilson, John Johnston & Catharine Johnston were each three times solemnly called but came not but made default and the Court being satisfied from an inspection of the papers that due and legal service of notice had been made upon each and all of said defendants of the pendency of this suit and thereupon this cause comes on to be heard by the Court upon the proofs, petition and exhibits of the Plaintiff and the Court finds from the evidence that the equity of this cause is with Plff. that the said Alfred E. Patent did on or about the 31<sup>st</sup> day of October 1851 purchase and enter of the United States at Land Office in Chariton Iowa, the following described Real Estate, to-wit: — South East (¼) quarter of the South West (¼) and also the West half (½) of the North West (¼) quarter all in Section Six (6) Township Seventy four (74) Range Twenty eight (28) West 5<sup>th</sup> P.M. Iowa, and that the said Alfred E. Patent did on or about the 1<sup>st</sup> day of January 1855 sold all of said Real Estate to defendant Wm Wilson and that he executed to the said Wm Wilson a bond for a deed and that the conditions of said bond were fully complied with by the said Wm Wilson and that the said Alfred E. Patent did on or about the 1<sup>st</sup> day of October 1855 make execute and deliver at the request of the said Wm Wilson a good and sufficient Warranty deed to all of said Real Estate to the defendants Alexander Wilson and Wesley Wilson, to-wit; W½ of the NW¼ and the SE¼ of the SW¼ of Section 6 Township 74 Range 28 to Alexander Wilson and the following, to-wit NE¼ of the NW¼ of Section 6 Township 74 Range 28 to Wesley Wilson but that neither of said deeds by the said Patent to the said Alexander and Wesley Wilson were never recorded on deed Records of Madison County Iowa, and that the same are now lost and that afterwards to-wit on the 24<sup>th</sup> day of January 1856 the said Alexander Wilson and his wife Scicily<sup>And</sup> Wilson sold all of said Real Estate as deeded by the said Patent to Alexander Wilson as aforesaid to John Johnston

to-wit the West  $\frac{1}{2}$  of the NW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 6 Township Seventy four Range 28 and that afterwards to wit on the 4<sup>th</sup> day of March 1856 said Wesley Wilson and his wife Mary E. Wilson did by a good and sufficient Warranty deed sell and convey said real Estate to John Johnston to-wit: NW $\frac{1}{2}$  of NW $\frac{1}{4}$  and also NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and also the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  all in Section Six Township 74 Range 28 and the Court further finds that defendants John Johnston and Catharine Johnston did on the 12<sup>th</sup> day of March 1864 did sell all of said Real Estate to Plff. and did then and there make execute and deliver a good and sufficient Warranty deed in and to all of said Real Estate to the Plaintiff Edmund B. Thompson and that said Real Estate is his.

It is therefore ordered adjudged and decreed by the Court that all right title interest or demand of said defendants in and to said Real Estate is vested in Plaintiff Edmund B. Thompson and it is hereby declared that the title to said Real Estate is in the Plff Thompson and free of all or any claims of the said defendants or any or either of them or any other person or parties claiming to hold said Real Estate, or any part of it under said defendants or either of them and Thompson's title to said Real Estate is hereby declared as perfect and good as if the said Alexander Wilson and Wesley Wilson had got the deeds they received for said Real Estate from the said Alfred E. Patent Recorded in deed Records of Madison County Iowa, and the said defendant Alfred E. Patent is hereby ordered and required within thirty days from the rising of this Court to make Execute Stamp and deliver to Plaintiff Thompson a good and sufficient quit claim deed, to said Real Estate transferring the same to Plaintiff and in default of his so doing it is hereby ordered by the Court that this decree stand in lieu of said deed and plaintiff have judgment for costs of suit against defendants except Wesley Wilson taxed to sixteen dollars and Eighty five cents and that execution issue therefor.

State of Iowa }  
Madison County } ss

I. M. R. Tidrick Clerk of the District Court in and for said County and State

hereby certify that the foregoing is a full and correct transcript of the decree in the above entitled cause as the same appears of Record in my Office. — Witness my hand and Official Seal this 7<sup>th</sup> day of January A D 1867

"SS"

M. R. Tidrick Clerk D. C.

Filed for Record March 5<sup>th</sup> 1867 at 2 o'clock P M

O A Moser Recorder