William B Boyington } Petition for Mech's Lien
Otis L Wheelock
vs
John K Brewster Etal } By the agreement of Charles D Smeed Esquire of Counsel for the said petitioners and Jason Brasted Esquire of Counsel for Joseph B Smith & Homer & Hubbard Holden Putnam James Bucknell & Wm H Shaffer Louis B Burrell Defendants in this cause and Thomas J Turner Esq of Counsel for Thirteen Dilexmans others made parties Defendants in their petition to this Court in this cause which said agreement was made and entered into in open Court prior to the trial of the issues made by the said parties. It is Ordered by the Court that the several answers of the said Defendants filed in the cause wherein Day Thomas is Complainant and John K Brewster Joseph B Smith & Homer & Hubbard James Bucknell Holden Putnam Alexander Reely John A Black & Daniel J Brewster are Defendants be and the same is taken for an answer in this cause and that the replications filed by the said Day Thomas in the said cause wherein he the said Day Thomas is Complainant as aforesaid be taken and accepted as a replication in this cause

Entered January 18. 1858

William B Boyington }
Otis L Wheelock } Petitions for Mech's Liens
vs
John K Brewster Etal } And motions of the said Petitioners by their Attorney It is Ordered by the Court that they have

leave to amend their bill so as to make parties both this suit
Jabez C Howe. George O Avery. Samuel G Payson John B Hutchinson
Charles H Dalton. & Jacob Kendall & also any other parties who
may be discovered as parties in interest in this suit and of which
are unknown) & it is further Ordered that publication of notice
be made to said Defendants in a public newspaper as in
ordinary cases in Chancery

Entered January 18, 1858

William A Boyington et al
vs
Otis L Wheelock
vs
John K Bernier et al

In the Circuit Court of Stephenson County in the State of Illinois of the April Term A.D. 1858

Amendments to the petition filed in this cause made pursuant to the order of said Court at the December term thereof A.D. 1854. after the word "Smith" in the twenty first line from the top of the tenth page in the petition read as follows to wit "And your petitioners further shew unto your Honor that there appears among the records of this Court in the office of the Clerk of this Court a record of two judgments one of which said judgments was rendered at the September Term of this Court in the County first day of September A.D. 1854 in favor of Isaac Thorne, George A Honey Samuel M Payson, John B Hutchinson, Charles H Dalton and Jacob Kendall in against the said John K Bernier John W Shaffer and Louis A Burrell for the sum of twenty seven hundred and two Dollars and thirteen cents damages and the other of the said judgments was rendered in favor of the last above named plaintiffs against the said John K Bernier at the said September Term of this Court on the fifteenth day of September A.D. 1854 for the sum of Six Hundred and Seventeen Dollars and Eighty eight cents damages and your petitioners further show unto your Honor that the said judgments were rendered as aforesaid long after the lien of your petitioners had attached to the said land in your petitioners original petition described and your petitioners further shew unto your Honor that the said judgments have been nearly all paid and satisfied and your petitioners pray that the said above named plaintiffs on the said judgments above named may be made Defendants hereto and upon

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Petitioners further pray that your Honor will decree and order that your Petitioners lien shall attach to the said land and the Brewster House erected thereon as a prior lien and in preference to the lien of the said Plaintiffs on the said fragments above described and that your Petitioners claim and demand as set forth in your Petitioners original petition in this cause shall be entirely paid and satisfied by the sale of the said land and Brewster House or otherwise as to your Honor shall seem Equitable and just before the said Plaintiffs on the said fragments above named shall have any of the proceeds of any sale or other disposition of said land and Brewster House

Sneed & Hebbard
Solicitors for Petitioners

Filed Jan 25 1858
L M Eubank Clk

McElvaine & Symington
Otis L Wheelock
vs
John K Bronson Et al

Petition for Mech's Lien
And the said Defendants James
Mitchell & Co John W Shaffer and Louis F Burrell Chancellor
Martin Abrahams Greene Thornton Hexton and others
securities in the Notes from John K Bronson to John A Clark
Exceptions to all and every of the findings Orders and Decrees
found made and decreed by the Court in the above entitled
causes and pray that this their Exceptions be signed and
sealed by the Court and it is done

Benj R Shelton Seal

Filed Jan 24 1859
L W Leuteaud Clk

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State of Illinois } In the Circuit Court of Stephenson
Stephenson County } ss County of the December term 1859

To the Honorable Benjamin R Shelton presiding Judge of the Fourteenth Judicial Circuit of the State of Illinois

The petition of John A Riegle of the County of Stephenson aforesaid respectfully represents unto your Honor that your petitioner on the first day of October A.D 1859 did enter into a contract with the said John M Brewster who was at that time the owner in fee of all the lands hereinafter described of said County by which said contract your petitioner contracted and agreed to and with the said John M Brewster that your petitioner would furnish the materials and cover such and cover with a roof known and designated as W & Childs & Co patent Elastic Cement roofing a certain Hotel building which he the said John M Brewster had erected and was at that time finishing on lots Number Five and Six on Block No Fifty eight on the original town of Freeport (now City of Freeport) and on all that part of lot Seven in said Block described as follows Commencing at the North-westerly corner of said lot Number Six and running thence Southwardly on a line between said lots Six and Seven on said Block Fifty six Thirty five feet thence Westwardly on a line parallel with Mechanic Street in said Town Twenty feet thence Northwardly on a line parallel with Mechanic Street Thirty five feet to Bridge Street thence Eastwardly along Bridge Street to the place of beginning for a more full description of all of said land reference is made to the Plat of said Town of Freeport (now City of Freeport) recorded in the Office of the Recorder of said County of Stephenson which said lots of land are situated in said County of Stephenson which said materials were to be furnished and work done within a reasonable time after the day last aforesaid And your petitioner further shows unto your Honor that one

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Consideration of the agreements of your Petitioners aforesaid to and with the said John K Brewster he the said John K Brewster covenanted agreed and promised unto and to your Petitioners to pay your Petitioners for the materials and labor in erecting and putting on said roofing on said Hotel building the sum of Three Dollars and fifty cents for each and every square of One Hundred square feet each and your Petitioners further show unto your Honor that in pursuance of said agreement your Petitioners did immediately after making said agreement hereinbefore mentioned to wit on the first day of October A.D. 1857 at the City of Brecken in said County Commence the construction of said roof and furnished the materials therefor and which last named date said John K Brewster was the owner in fee simple of said lots land and that prior to the Seventh day of December A.D. 1857 your Petitioners had furnished all the materials for the construction of said roof in accordance with this agreement aforesaid and had constructed and finished said roof upon the same upon said Hotel Erected and built upon the lots and parcel of land aforesaid which said roof constitutes a part and portion of said building built and erected on said lots and land above described in the City of Brecken aforesaid and which said building is known and described as the Brewster House and that the same roof was completed and finished within a reasonable time after said contract was made Your Petitioners further show unto your Honor that said roof contains One Hundred and fifteen and 46/100 squares all of which your Petitioners constructed and put upon said Brewster House and your Petitioners aver that according to the terms of the contract and agreement between your Petitioners and the said John K Brewster the said John K Brewster was to pay and agreed to pay to your Petitioner the

entire amount of the cost of said work when the same should be completed and your petitioner avers that said work was finished and entirely finished on the Sixth day of November A.D. 1857 on which last mentioned day there was due and owing from the said John K. Brewster to your petitioner for the furnishing of the materials for the construction of the roofing of the said Brewster House built and erected on the lots and land above described the sum of Six Hundred and Thirty five Dollars and Three cents on which said last named sum is still due and owing from the said John K. Brewster to your petitioner for the materials and construction of said roofing as afores. And your petitioner further shew unto your Honor that upon examination of the records in the Office of the Clerk of the Circuit Court in and for said County of Stephenson your petitioner finds that purports to be the record of a deed of Trust made and executed by the said John K. Brewster and Emily L. Brewster his wife to Joseph A. Smith to secure the said debt bearing date the Twenty second day of March A.D. 1855 and is recorded in Book D of Mortgages page 214 on which said deed conveys to the said Joseph A. Smith the following described real estate to wit all those parts of Lots Three and Six in Block Fifty six on the Town of Freeport aforesaid which lie East and South of a line drawn through the centre of said lots Five and Six parallel with Mechanic Street in said Town also lots Three Four and Five in Block Fifty one in said Town on which said deed of Trust was made and executed to secure the payment of certain promissory Note signed by said John K. Brewster bearing date the Twenty second day of March A.D. 1855 which said Note was made payable to James Birkbeck Esq Eight months after the date thereof said Note being for the sum of Five Thousand Dollars with interest at Ten per cent per annum. Your petitioner is informed and believes that

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the firm of James Bucknell & Co to whom said Note was given was at the time said Note was executed an Inmate of James Bucknell Holden Putnam and Alexander Reely. Your Petitioners further show unto your Honor that there also appears upon the records in the office of the Clerk of the Circuit Court in and for said County that pursuant to the terms of a Deed of Trust made and executed by the said John K Brewster and Emily L Brewster his Wife to Homer D Hebbard Trustee which said Deed bears date the 6th of the day of July A.D. 1856 and is recorded in Book 6 K of Mortgages page 114 by which said Deed the said John K Brewster and Emily L Brewster his wife for and in consideration of the sum of One Dollar to the said Homer D Hebbard the following described real estate situated in said County of Sacramento and known as Lots Five and Six in Block Forty six in the Town of Freeport said Deed of Trust was made and executed to secure the payment of three certain promissory Notes for the sum of One Thousand Dollars each of which said Notes bears date the Twenty third day of June A.D. 1856 and are payable to the order of John C Clark. The first of said Notes is payable on the first day of August A.D. 1860 with interest from the first day of August A.D. 1856 The second of said Notes is payable on the first day of September A.D. 1861 with interest from the first day of September A.D. 1856 The third of said Notes is payable on the first day of October A.D. 1862 with interest from the first day of October A.D. 1856 The interest on all of said Notes being at the rate of ten per centum per annum payable Semi annually with current rates of Exchange on New York Your Petitioners further show unto your Honor that the three promissory Notes last above mentioned to secure the payment of which said Trust Deed was made and Executed to

Homer D. Hubbard as above set forth hereto each and all signed by the following named persons as joint makers with John K. Brewster Chancellor Martin James Mitchell Henry S. John Henry W. Pennington John Read & John A. Taylor, Daniel Sheetz Thompson Alexander John Coates Hiram Pugh John Koebel. Gilbert W. Clayton. Frances Foley. Asahel W. Reed Abraham J. Green Thomas Callman John R. Ryerly. William M. Buckley. John S. Emmert Holden Putnam Silas A. Clark & John Wade Jesse B. Snyder Tobias Engle Alexander Hunkhales Rosenlieb Hollis Jewell. Hezekiah P. Hiller James B. Childs George Parmeter Thomas J. Turner. Mattias Kettinger Oscar Taylor Ebenezer H. Hyde Jacob Regard. Frances W. S. Brawley and Rudolph Rubaker. Your petitioner further shows unto your Honor that on the Fourth day of November A.D. 1867 the said John K. Brewster conveyed by a certain Deed of assignment to John A. Clark and Daniel S. Brewster the pieces and parcels of land with the appurtenances thereunto belonging first above described which has been duly recorded and to which the Brewster House ref. hereinbefore set forth by which said last named Deed of assignment the said John K. Brewster conveyed to said John A. Clark and Daniel S. Brewster said real estate in trust for certain purposes mentioned in said Deed of assignment and on the day last aforesaid said John K. Brewster and Emily L. Brewster his wife executed and executed to said John A. Clark and Daniel S. Brewster a Deed of conveyance in money called a quit claim Deed by which said last mentioned Deed of conveyance the said John K. Brewster and Emily L. Brewster his wife quit claimed all the right title and interest of them the said John K. Brewster and Emily L. Brewster his wife to the said John A. Clark and Daniel S.

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Brewster their heirs and assigns of and to all the lots and parcel of land first herein above described on which the said Brewster house is built Your petitioner prays that the said John M Brewster Joseph B Smith James Mitchell Holden Putnam Alexander Reely Homer D Hebbard John C Clark and Daniel S Brewster may be made parties Defendants to this your petitioners said bill that your petitioner may have a full entire and perfect lien upon the lots and parcel of land first above described upon which has been erected and built the Brewster House as herein before set forth and also upon said Brewster House and the appurtenances thereunto belonging to the liquidation and satisfaction of your petitioners aforesaid claim and demand for the furnishing of the materials for and the construction of the roofing of the Brewster House as herein before set forth and that your petitioner may have a special Execution awarded for the sale of the building and premises first above described and that your petitioner may have such other and further relief as the nature of his case shall require and shall be agreeable to Equity May it please your Honor to grant unto your petitioner a writ of summons issuing out of and under the seal of this honorable Court directed to the said John M Brewster Joseph B Smith James Mitchell Holden Putnam Homer D Hebbard John C Clark and Daniel S Brewster of said County of Stephenson and Alexander Reely of the County of Bond in the State of Illinois Commanding them and each of them by a certain day and under a certain penalty to be therein inserted to be and appear before your Honor and then and there to answer the premises and to stand to and abide

such order and decree herein as to your Honor shall seem meet

John A Rogers

By Smeed & Kobbe his attys

Filed Nov 12 1857

L W Guiteau Clk

Home Ins Co & Henry Sanford & Peyton & Jno B Hutchinson
Charles H Dalton & Andrew Bethune & also any other parties
who may be deemed as parties in interest in this suit
and if they are non residents It is further Ordered that
publication of notice be made to said Defendants in the
public newspapers as in ordinary cases in Chancery

Entered January 18. 1858.

John A Riggleson
Vs
John K Brewster et als

In the Circuit Court of Shenandoah County
In the State of Illinois of the April
Term A.D. 1858

Amendments to the petition in this cause made pursuant
to the order of the said Court at the December Term thereof A.D. 1857
after the words "which on the 2nd next folio from the top of the
2nd page on the original petition read as follows to wit And your
petitioner further shows unto your Honor that there are pending
= in the records of this Court in the Office of the Clerk of this Court
a record of two Judgments one of which said Judgments was rendered
at the September Term of this Court on the twenty fifth day of
September A.D. 1857 in favor of Isaac C Stone George O Stoney
Samuel Payson John B Hutchinson Charles N Dallmeyer and Jacob
Kendall Jr against the said John K Brewster John A Shaffer &
Louis F. Parrell for the sum of Twenty seven Hundred and two
Dollars and Fifteen cents damages and the other of the said
Judgments was rendered in favor of the plaintiffs aforesaid
the said John K Brewster at the said September Term of this Court on
the fifteenth day of September A.D. 1857 for the sum of Six
Hundred and Seventeen Dollars and Eighty Eight cents damages
and your petitioner further shows unto your Honor that the
said Judgments were rendered as aforesaid long after the lien of
your petitioner had attached & the land in your petitioners original
petition described and your petitioner further shows unto your
Honor that the said Judgments have been nearly all paid and
satisfied and your petitioner prays that the said above named
plaintiffs in the said Judgments above named may be made defendants
2115 and your petitioner further prays that your Honor will decree
and order that your petitioners lien shall attach to the said

and and the Premises hereinafter described therein and herein and in preference to the liens of the said Plaintiffs on the said Judgments above described and that your Petitioners claims and demands as set forth in your Petitioners original Petition herein such shall be entirely paid and satisfied by the sale of the said land and Premises or therein as to your Honor shall seem equitable and just before the said Plaintiffs in the said Judgment above named shall have any of the proceeds of any sale or other disposition of said land and Premises

Smeet & Hebbard
Solicitors for Petitioners

Filed Jan 25 1858 L W Guiteau Clk.

John A Rigdon
vs
John K Brenner Et al

Petition for Mech's Lien

And the said Defendants James Mitchell & John M Shaffer and Louis F Burrell Chancellor Martine Abraham T Green Thomas Hale Executors & others securities on the Notes from John K Brenner to John A Clarke Except to the all and every of the findings Orders and Decree formd made and decreed by the Court in the above entitled Causes and pray that this their Exceptions be signed and sealed by the Court and it is done

Benj R Shelome Seal

Ent'd & Filed Jan 24. 1859
L M Guiteau Clk

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State of Illinois } Stephenson County Circuit Court
Stephenson County } ss December Term A.D. 1857

The petition of your petitioners Luther G. Hale for the use of Channing & Co. states as follows

That in the summer of the year A.D. 1856 one John K. Brewster commenced the erection and building of a hotel in the City of Freeport in said County. That said Brewster finished and completed said hotel building sometime in the month of October A.D. 1857 and the same is known as the Brewster House. That said hotel building was erected and is situated upon the following described land to wit those pieces or parcels of land situate lying and being in the City of Freeport County of Stephenson State of Illinois and known as lots Numbered Five (5) and Six (6) in Block No Fifty six (56) in the original Town of Freeport and a portion of Lot No Seven (7) in said Block Bounded as follows Commencing at the North East corner of said Lot No Seven and running thence Southerly on the Easterly line of said Lot Forty five feet thence Southwesterly parallel with the Range Street in said City Seventy feet thence Northwesterly parallel with the Exchange Street in said City Forty five feet to Range Street thence North Easterly along Range Street to place of beginning for a more particular description of said land reference is had to the recorded plat of said Town on file in the Office of the Clerk of the Circuit Court of said County Your petitioners further show that said Brewster was the owner in fee of the above described land during all the time said hotel was being built and was such owner from before the 1st day of March A.D. 1856 until the 1st day of November A.D. 1857 Your petitioners further state that your petitioners during the year A.D. 1856 and until the same day of the

2 $49

Month of August A.D. 1855 was doing business in said City as a Lumber Merchant that on or about the first day of October A.D. 1856 said Brewster in said City requested your petitioner to furnish and sell to said Brewster materials from your petitioners store to be used and employed in the erection of said Hotel building and said Brewster then & there promised and offered to pay your petitioner for such materials the usual retail price which your petitioner was in the habit of charging for the same when the same should be delivered

Your petitioner further shows that said last mentioned promise consideration & request promise and offer of said Brewster your petitioner promised and agreed to furnish and deliver from his store to said Brewster such materials for said building as said Brewster might have occasion to use.

And in pursuance of said agreement and at the special instance and request of said Brewster your petitioner furnished and delivered to said Brewster materials for said building the value of which materials amounted to Four Hundred & Thirty five 00/100 Dollars and 00 as per schedule hereto annexed and marked Schedule A and which your petitioner prays may be taken as a part of this petition contains a list and statement of the materials furnished said Brewster for said building in pursuance of said agreement and the times when and the prices from which said materials were furnished said materials in said Schedule named were each and all delivered to said Brewster at his special instance and request and were delivered at the times when & as requested and the prices in said Schedule set forth to for said materials were the usual retail prices which your petitioner was in the habit of charging for the same and the same were reasonably

mon the prices so charged for the same all of said materials were
delivered to said Brewster before the 1st day of August A.D. 1857
and there was due your petitioner from said Brewster for the same
at that time said sum of Four Hundred & Thirty four 00/100 Dollars
and your petitioner avers that said sum has not been paid
nor any part thereof and the same remains due to your
petitioner for the use of Fleming & Co and is unpaid and
said Brewster though often requested to pay the same refuses so
to do And your petitioner avers that all of said materials were
sold and delivered to said Brewster with the understanding
between your petitioner and said Brewster that the same
were to be used and employed in the erecting & completing of said
Hotel building and they were all so used. And your petitioner
further says that said Brewster continued to be the owner in fee
of said land above described and of the building thereon until
the 4th day of November A.D. 1857 when he sold and assigned the
same to John A Clark & Daniel S Brewster as assignees for the
benefit of his creditors and on said day said John M Brewster
and Emily L his wife executed a quit claim deed of the above
described land to said John A Clark and Daniel S Brewster in
pursuance of said assignment And your petitioner further
shows that there appears of record in the Office of the Clerk of the
Circuit Court of said County a deed of which executed by said
John M Brewster & Emily L his wife dated March 22d 1856 to
Joseph P Smith as Trustee on lots Nos three & four and five in
Block No forty one in said original Town of Rockford known as por-
tions of the land on which said Hotel building is situated (with
on the North Easterly half of Lots Nos five & six in Block No forty six
said North Easterly half fronting Thirty feet and two inches on

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Stephenson Street said City and the Southwesterly boundary thereof running through the centre of said lots parallel with Mechanics Street said City. said deed purports to have been given to secure to James Bucknell & Co the payment of certain promissory note for the sum of Five Thousand Dollars payable to said James Bucknell & Co in Eight months after the date thereof said Note bearing date March 22d 1856 and signed by John H Brewster the members composing the firm of James Bucknell & Co at that time were James Bucknell Holden Putnam & Alexander Reely And your petitioner further sheweth that by the records of said office appears another deed of trust executed by John H Brewster and Emily Ellis Hyde said deed is dated July 5 1856 to Warren R Hubbard as Trustee said deed conveys said lots Five and Sixty Block X fifty six to secure the payment of three promissory Notes of Five Thousand Dollars each payable to the order of John A Clark and signed by said John H Brewster as principal and Andrew Mathews said Notes all dated June 27 1856 drawing interest at Ten per cent per annum payable semiannually One Note drawing interest from August 1st 1856 payable August 1. 1860 Second Note drawing interest from September 1st 1856 payable September 1st 1861 Third Note drawing interest from October 1. 1856 payable October 1st 1862

Your petitioner says that said ~~John H Brewster~~ James Bucknell Holden Putnam Alexander Reely Warren R Hubbard John A Clark & Daniel S Brewster may be made Defendants to this your petitioners suit and that summons issue out of this Court requiring them to appear and answer this

petitioner at the next term of this Court and that your petitioner may have a full and perfect lien on the lots and parcels of land first described upon which has been erected said Hotel building, and also on said Hotel building and the appurtenances to the amount of your petitioners claim as herein before set forth and that your petitioner may have a special decree for the sale of said building and the land first above described and that your petitioner may have such other and further relief as this Court by virtue of the powers therein vested by the Sixty fifth Chapter of the Revised Statutes of this State entitled liens may grant and as may be agreeable to Equity and good conscience

L G Hall for Interest of Fleming & Co
By Turner Burbank & Burton his Attys

Articles of Brass and iron sold by L G Hall to John K Brewster used in the building and furnishing of Hotel known as Brewster House

| | | | | |
|---|---|---|---|---|
| 1886 Oct 2 | 4 | 4 Gro Screws | 40 | 1.60 |
| | 3 | 1 Thumb Latch | | 10 |
| | 4 | 2 3/4" Iron | 6 | 14 94 |
| | 7 | 5" Zinc Rails | 7 | 35 |
| | | 6" Spike | 6 | 36 |
| | 8 | 1 Thumb Latch | 11 | 13 |
| | | 2 " | 8 | 16 |
| | | 1 Reg Rails | | 5 50 |
| | 9 | 1 " " | | 5 50 |
| | 13 | 5" Zinc Rails | 7 | 35 |
| | 14 | 1 Gro Screws | 57 | 63 |
| 253 | 15 | 18 feet Zinc | 1 | 2.25 |

2 87

| | | | |
|---|---|---|---|
| | 3" 9° Nails | 7 | 21 |
| 16 | 1 Keg Thimbles | 8/- | 1.00 |
| 23 | 1 Paper Brads | | 15 |
| | 1 Iron Screws | 5/- | 63 |
| | 2 Paper Brads | | 2, |
| 24 | 1" Flooring " | 7 | 1 40 |
| | 1 Lime Sand Paper | | 25 |
| 29 | 1 Keg Nails | | 5 50 |
| 30 | 43" Nails | 6 | 258 |
| | 54" " | 6 | 3.24 |
| | 7 Thimbles | 8 | 56 |
| Nov 8 | 2" Finish Nails | 1/- | 25 |
| | 6" Cut " | 6c | 26 |
| 11 | 6 Thimbles | | 50 |
| 13 | 1 Keg Nails | | 5 50 |
| | 1 " " | | 5 50 |
| 17 | Mercker Kamley | | 3.76 |
| | 2 Keg Nails | 5 00 | 11.00 |
| 17 | 25 feet Zinc | 10 | 2.50 |
| | 2" Nails | 6 | 18 |
| 18 | 52 feet Zinc | 10 | 5.20 |
| 19 | 62 1/3 " " | 14 | 9.01 |
| 20 | 88" Nails | 5c | 4.54 |
| | 1 Keg Nails | | 5.50 |
| 22 | 7" Roher | 1/6 | 1.31 |
| 24 | 86 1/2 feet Zinc Valley | 14 | 12.11 |
| 28 | 10" Spikes | 6 | 60 |
| Dec 2 | 1 Elbow | 2/ | .38 |

| | | | | |
|---|---|---|---|---|
| 8 | 1 Lock | | 8/- | 1.00 |
| | 6 pr Butts & Screws | | 15 | 90 |
| | 3 Latches | | 15 | 45 |
| | 1 Paint Brush | | 1/- | 50 |
| 10 | 1 Keg Nails | | | 5.50 |
| | 8" Bow | | 6 | 48 |
| 11 | 1 Keg Nails | | | 5.50 |
| 15 | 1 " " | | | 5.50 |
| 16 | 1 " " | | | 5.50 |
| 18 | 2 " " | | | 11.00 |
| | 2" Bonds " | | 10 | 20 |
| 25 | 1 Quire Sand Paper | | | 20 |
| 27 | 2 Iron Screws | | 2/- | 15 |
| 29 | 1 Elbow | | 1/- | 50 |
| 1857 January 1 | 44" Nails | | 52 | 2.42 |
| 7 | 1 Lock & Butts | | | 58 |
| | 1 Keg Nails | | | 5.50 |
| 6 | 1 " " | | | 5.50 |
| 8 | 59 feet Cane Bonds | | 30 | 17.70 |
| | 27 " " " | | 2/- | 6.75 |
| | 37 " Conductor | | 20 | 7.40 |
| | 22 Staples | | 1/6 | 4.13 |
| | 1 Keg Nails | | | 5.50 |
| 10 | 1 " " | | | 5.50 |
| 13 | 1 Box Screws | | | 12.00 |
| 14 | 1 Kg Nails | | | 5.50 |
| 17 | 1 " " | | | 5.50 |
| 22 | 10" Spikes | | | 55 |
| 27 | 1 Keg Nails | | | 5.50 |

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| | | | | |
|---|---|---|---|---|
| | 28 | 2" Iron " | 10 | 2.80 |
| | | 22 Iron " | 5½ | 1.21 |
| | | 12 " " | " | .66 |
| | 21 | 1 Key " | | 5.50 |
| Ickes | 4 | 1 " " | | 5.50 |
| | 6 | 26th " | 5½ | 1.98 |
| | 9 | 51 feet Spouting | 20 | 10.20 |
| | | 4 Elbows | 2/- | 1.00 |
| | | 1 Padlock | 4/- | 50 |
| | 10 | 26" Nails | 5½ | 1.98 |
| | | 55" " | " | 3.03 |
| | | 1 Doz Match Planes | | 1.50 |
| | 13 | 78 feet Sliding door rail | 7½ | 5.85 |
| | | 2 Iron Screws | 45 | .90 |
| | | 50th Nails | 5½ | 2.75 |
| | 16 | 20 " " | 6 | 1.25 |
| | | 2 feet Iron door rail | 7½ | 15 |
| | | 33th Nails | 5½ | 1.65 |
| | 18 | 5" " | 5½ | 28 |
| | | 1 Tune Saw Spacer | | 20 |
| | 27 | 1 Elbow | 2/- | 38 |
| | | 23" Pipe | 1/- | 2.88 |
| | | 23/4 " | 1/- | 44 |
| | | 2" Tees | 14 | 42 |
| | | 1 Doz axel Pullies | 12/- | 1.50 |
| | | 1 Iron Screws | 2/- | 38 |
| Mary | | 30" Nails | 5½ | 1.65 |
| | | 1" Brads | | 06 |

| | | | |
|---|---|---|---|
| 13 | 1 Keg Nails | | 5 50 |
| | 8" Zinc " | 6d | 50 |
| | 5½ feet Zinc Valley | 20 | 11.40 |
| 16 | 2 Lunes Sandshaker | 20 | 40 |
| | 10" Nails | 5d | 55 |
| 28 | 22" " | " | 176 |
| 26 | 10" " | | 55 |
| | 1 ka Zinc Nails | | .20 |
| 21 | 23½ feet Zinc | 1/- | 2.94 |
| Akl 8 | 3 Doz Screws | 2/- | 75 |
| | 1 Gro " | 6/- | 75 |
| | 6½ feet Zinc | 15 | 98 |
| 13 | 1½ Stone Ruler | 1/- | 21 |
| 24 | 2 Thimbles | 8c | 25 |
| | 1 ka Brads | | 20 |
| 29 | 1 Gro Screws | | 50 |
| | 2 Lunes Sandshaker | 20 | 60 |
| | 2 ka Brads | | 20 |
| Brads 4 | 7 Ventilators | 5/- | 438 |
| | Russia Sandshake | | 20 |
| | 1 Gro Screws | | 50 |
| 5 | 1 Gro " | 6/- | 75 |
| | 2 " " | 3/6 | 88 |
| 6 | 5" Nails | 5d | 24 |
| 8 | 3 Ventilators | 7/- | 2.63 |
| | 2 " | 7/- | 1.75 |
| | 1 Gro Screws | 5/- | 63 |
| | 1 ka Brads | | 10 |
| 257 9 | 5" Nails | 5d | 28 |

| | | | | |
|---|---|---|---|---|
| 12 | 6 ch Butts | | 20 | 1.20 |
| 13 | 12" Fir Rails | | 7 | 84 |
| 15 | 10" " " | | 7 | 70 |
| | 2 Jakers Brass | | 20 | 40 |
| | 1 Bro Screws | 6/ | 4/6 | 1.31 |
| | 1 Pa Brads | | | 15 |
| 17 | 1 Ventilator | | | 1.00 |
| | 4" Spike 5/2 1 Bro Screws 63c | | | 85 |
| 19 | 1 Chain Bolt | | 4/- | 50 |
| | 1 Square " | | 4/- | 50 |
| | 1 Bro Screws | | | 40 |
| | 10" Nails | | 5/2 | 55 |
| | 1 Bro Screws | | 2/6 | 2.1 |
| | 15" Nails | | 7 | 1.05 |
| | 1 Bro Screws | | 3/6 | 1.44 |
| 23 | 15" Nails | | 5/2 | 88 |
| 25 | 15 " Fir | | 7 | 105 |
| 27 | 14 " | | 5/2 | 44 |
| 28 | 2 Bro Screws | | 2/6 | 88 |
| | 1 Pa Brass | | 1/- | 18 |
| 29 | 10" Nails | | 5/2 | 55 |
| | 12" Fir Rails | | 7 | 84 |
| | 1 Pa " " | | | 20 |
| | 10" Nails | | 5/2 | 55 |
| | 4 Bro Screws | | 2/6 | 1.45 |
| June 1 | 1 " " | | 2/- | 38 |
| | 68" Fir Rails | | 6½ | 4.42 |
| | 6" 3d " | | 7 | 42 |

| | | | | |
|---|---|---|---|---|
| | 5 pr Bands | | 10 | 50 |
| 2 | 2 4/100 Squares Roofing | | 1850 | 32,40 |
| | 6" Nails | | 5# | 88 |
| 5 | 2 Mortises | | 6/- | 1 50 |
| 6 | 2 " | | 5/- | 1.25 |
| 8 | 4 Iron Screws | | 3/6 | 1.75 |
| | Sawpaker | | | 40 |
| 10 | 2 pr Fine Nails | | 20 | 40 |
| 11 | 25" " " | | 7 | 1.75 |
| | 5" Com " | | 5# | 25 |
| 15 | 1 Iron Screws | | 31- | 38 |
| | 2" Iron | | 5# | 11 |
| | Assm Screws | | | 18 |
| 17 | 50" Fin Nails | | 6# | 3.25 |
| | 2 pr Butts | | 15 | 30 |
| | 2 Door Locks | | 4/- | 1.00 |
| 18 | 1 Dey axel pullers | | 6/- | 75 |
| 19 | 1 Thumb | | 1/- | 18 |
| 22 | 1 Iron Screws | | | 63 |
| 25 | 2 " " | | 30 | 60 |
| | 2" Lath Nails | | 7 | 21 |
| | 1 Lunes Sawpaker | | | 20 |
| 26 | 1 Brace Bit | | 2/- | 38 |
| 29 | 1 Iron Screws Ea | 7/- | 4/- | 138 |
| 30 | 2 Door Bolts | | 4/- | 100 |
| July 3 | 27 Sheets Sandpaker | | | 27 |
| | 2 Iron Screws | | 2/6 | 131 |
| 7 | 14" Fin Nails | | 7 | 98 |

| | | | | |
|---|---|---|---|---|
| 1 | 3" " " | | 7 | 2.10 |
| 10 | 1 Gro Screws | | 2/- | 38 |
| | 5" Lath Nails | | 7 | 35 |
| | 5 Closet Locks | | 4/6 | 2.81 |
| 13 | 1 Gro Screws | | 3/6 | 44 |
| 14 | 1 " " | | 4/6 | 56 |
| | 1 " " | | - | 56 |
| | 6" 3d Nails | | 7 | 42 |
| 18 | 8" Fin " | | 7 | 56 |
| 20 | 2 Doz Brass Screws | | 10c | 20 |
| | 1 Gro Screws Ea | 4/- | 4/6 | 106 |
| 22 | 6" Casing Nails | | 8 | 48 |
| | 1 Gro Screws | 6/- | 4/- | 168 |
| | 1 Box Rule | | 5/- | 63 |
| | 15" Fini Nails | | 7 | 105 |
| | 15" " " | | 8 | 120 |
| 25 | 10" " " | | 7 | 70 |
| 28 | 5" " " | | 7 | 35 |
| 29 | 2" Brads | | 10 | 20 |
| | 10" " | | 8 | 80 |
| 30 | 4" Sheet Iron | | 7 | 329 |
| | Brass on Frame | | | 25 |
| Aug 1 | 5 Nails 7 3" Nails 10 1 Roofing Nails 20 | | | 85 |
| | | | | 4325.60 |

Schedule

Filed December 18 1854 Lt Lieutenant C.C.
By Wm K Barry Dep

Luther G Hale for the use of E Corning & Co
vs
John K Brewster Etal

Petition for Mechs Liens

By the agreement of ~~Parties~~ Counsel for the said petitioner and Defts Marsh Esquire of Counsel for Defts B Smith & Homer N Hebbard Holden Putnam & James Mitchell & John W Shaffer & James G Russell Defendants in this cause and Thomas J Turner Esqr of Counsel for Thompson Hale Exrs and other made parties Defendants in their petition to this Court when this cause coming on and agreement was made and entered into in open Court prior to the trial of the issues made by the said parties & it is Ordered by the Court that the general answers of the said Defendants filed in this cause wherein Lay Thomas is Complainant and John K Brewster Benj B Smith & Homer N Hebbard James Mitchell Holden Putnam & Alexander Neely John N Clark & Daniel J Brewster are Defendants be and the same is taken for an answer in this cause and that the replications filed by the said Lay Thomas in the said cause wherein he the said Lay Thomas is Complainant as aforesaid be taken and accepted as a replication in this cause

Entered January 18, 1858

Luther G Hale for use of E Corning & Co
vs
John K Brewster

Petition for Mechs Liens

On Motion of the said Petitioner by his Attorney

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It is Ordered by the Court that the Complainant have leave to amend his petition so as to make parties thereto Jabez C. Howe George Ackney Samuel M. Payne & Wm B. Kurtchinson Charles H. Dalton Jacob Kendall & also any other parties who may be discovered as parties in interest on the South Arm of Hay River & it is further Ordered that publication of Notice be made to said Defendants in a public newspaper as in ordinary cases in Chancery

Entered January 18, 1858.

Luther K Hale for the use of
Ebenezer Co
vs
John M Brewster Etal

Stephenson Co Cir Court
April Term A.D. 1858

Amendments to the petition
on this cause made pursuant to the Order of said Court
at the December Term A.D. 1857 after the figures "1862"
in the fifteenth line from the top of the fifth page on the
original petition filed in this cause reads as follows to wit
And your petitioner further shows unto your Honor that
there appears of record in this Court two Judgments one of which
said Judgments was rendered at the September Term of this
Court on the twenty fifth day of September A.D. 1857 in favor of
Isaac Hamer George A Honey Samuel M Payson John B Hutchinson
Charles K Dalton and Isaac Trendall Jr against the said John M
Brewster John W Shaffer and Louis F Burnell for Twenty seven
hundred and two Dollars and thirteen cents damages and
the other of said Judgments was rendered in favor of the said
above named Plaintiffs against said John M Brewster
at said September Term on the fifteenth day of September
A.D. 1857 for the sum of Six Hundred and Seventeen Dollars
and Eighty Eight cents and your petitioner shows that said
Judgments were rendered after the liens of your petitioner
had attached to the land and building thereon erected in
said original petition described. Your petitioner further shows
that said Judgments have been wholly paid and satisfied and
your petitioner prays that the said above named Plaintiffs
in the said Judgments above named may be made Defendants
hereto and your petitioner further prays that your Honor
will decree and order that your petitioners liens shall

attach to the said land and the Brewster House and that there was a prior lien and in preference to the liens of the said Plaintiffs in the said Judgments above described and that your Petitioners claims and demands as set forth in your Petitioners original Petition in this cause shall be entirely paid and satisfied by sale of the said land and Brewster House or the proceeds arising from the sale your Honor shall deem equitable and just before the said Plaintiffs in the said Judgments above named shall have any of the proceeds of any sale or other disposition of said land and Brewster House

Turner Burchard & Bailey
for the Petitioners

Filed Oct 1st 1858 L. H. Garland Clk

Sutter & Hale for the use of
Ebning & Co
vs
John K Bemsley Ent al

Petition for Mech's Lien

and the said Defendants James Mitchell & Co John W Shaffer and Enos H Burrell Chancellor Harding Abraham Queen Thompson Valentine and others claiming an interest in the premises from John K Bemsley to John A Clark & Co Except to all and every of the findings Orders and decree from & made and decreed by the Court in the above entitled cause and pray that this their Exceptions be signed and sealed by the Court which is done

Benj R Shelton Seal

Filed Jan 24 1859
L W Guleau Clk

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State of Illinois
Stephenson County } ss

Stephenson County Circuit Court
December Term A.D. 1857

The petition of your petitioners Luther G. Hale and George M. Frazee late Co-partners under the name of Hale & Co for the use of George M. Frazee State as follows That in the summer of the year A.D. 1856 one John K. Brewster commenced the erection and building of a Hotel building in the City of Freeport in said County that said Brewster completed the Erection and finishing of said Hotel building some time in the month of October A.D. 1857 and the same is known as the Brewster House That said Hotel building was Erected and is situated upon the following described land to wit Three pieces or parcels of land situate lying and being in the City of Freeport County of Stephenson and State of Illinois and known as Lots Numbers Five (5) and Six (6) in Block No Fifty six (56) in the original Town of Freeport and a portion of Lot No Seven (7) in said Block which is bounded as follows Commencing at the North Easterly corner of said Lot No Seven (7) and running thence South Westerly on the Easterly lines of said Lot No Seven (7) Thirty five feet thence South Westerly on a line parallel with Burge's Street in said City Twenty feet thence North Westerly on a line parallel with Freeland's Street in said City Thirty five feet to said Burge Street thence North Easterly along Burge Street to the place of beginning for a more particular description of said land reference is had to the recorded Plat of said Town on file in the office of the Clerk of the Circuit Court of said County Your petitioners further show that said Brewster was the owner in fee of the above described land during all the time said Hotel was being built and was such owner from before the 1st day of March A.D. 1856 until the 4th day of November A.D. 1857 Your petitioners would further state

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that they were doing business in Corpus Christi upon said City as
said Brewers merchants during the months of August September and
October A.D. 1854 that on or about the 2d day of August A.D. 1854
at said City said Brewster requested your petitioners to sell and
deliver to him materials from your petitioners store to be used
and employed in the erection and completion of said Hotel
building and the then & there promised and offered to pay your
petitioners for such materials when the same were delivered
the usual retail prices which your petitioners were in the habit
of charging for the same Your petitioners further show that
the said last mentioned time place in consideration of said
request promise and offer of said Brewster they promised
and agreed to furnish and deliver from their store to said Brew-
=ster such materials for said building as he might have occasion
to use in finishing & completing said building
and in pursuance of said agreement had at the special instance
and request of said Brewster your petitioners furnished and
delivered to him materials for said building the value of which
materials amounted to Eighty two 92/100 Dollars and the paper
hereto annexed and marked Schedule A and which your petitioners
pray may be taken as a part of their petition contains a correct
statement of the materials furnished said Brewster for said building
in pursuance of said agreement and the times when and the prices
for the said materials in said Schedule named and each and
all delivered to said Brewster at his special instance and request
and moreover delivered at the times when they so requested and the
prices in said Schedule set forth were the usual retail prices which
your petitioners were in the habit of charging for the same and the

same were reasonably worth the sum so charged for them all of said materials were delivered to said Brewster before the 20th day of October A.D. 1857 and there was due your petitioners for the same at that time said sum of Eighty two 92/100 Dollars and your petitioners aver that they have often requested said Brewster to pay said sum of money yet he refuses to pay the same and said sum still remains due to your petitioners for the use of George H. Finley and is still unpaid and your petitioners aver that they sold all of said materials to said Brewster with the understanding that they were to be used and employed in the erecting and completing of said building and said materials were all so used. And your petitioners further say that said Brewster continued to be the owner in fee of said land and premises and said building until the 4th day of November A.D. 1857 when he sold and assigned the same by deed of that date to John C. Clark and Daniel S. Brewster as assignees for the benefit of his creditors and said John C. Clark and Daniel S. Brewster are now the legal owners of said land subject to the claims of your petitioner and the incumbrances hereinafter mentioned. And your petitioners further show that there appears record in the office of the Clerk of the Circuit Court of said County a deed of Trust executed by said John S. Brewster and Emily L. his wife to Joseph B. Smith as Trustee dated March 27 1856 and conveying to said Joseph B. Smith Lots Numbers Three (3) Four (4) & Five (5) in Block No. Fifty One (51) and a portion of the land on which said last mentioned building is situated to wit the North Easterly half of said Lots Nos. Five (5) and Six (6) in Block No. Fifty one said North Easterly half being bounded South Westerly by a line drawn through the centre of said Lots running parallel

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Nath Thos

on the Mechanics Green in said City said North Easterly half fronting Thirty feet & two inches on Stephenson & Green in said City said Lots & Blocks above described being in the original Town of Peekskill in said County said Deed of Thomas Executed to secure to James Burtchell or the payment of a promissory Note of Five Thousand Dollars. The members of said firm of James Burtchell & Co at that time were James Burtchell Nelson Putnam & Alexander Keely said Deed of Thomas was recorded in said Office March 26 1856 And your petitioners further show that there also appears on record in said Office said Deed of Trust executed by said John K Brewster and Emily L his wife separate & July 5th 1856 to Homer A Nelson as Trustee on said Lots Nos Nine (9) Six (6) in Block No Fifty six (56) which Deed of Thomas was recorded September 8th 1856 and was made to secure to John A Clark the payment of three promissory notes of Five Thousand Dollars each all of said notes bearing date June 23d 1856 payable to the order of said John A Clark & endorsed by said John K Brewster as principal and divers others as sureties said Notes dated June 23 1856 drawing interest at ten per cent per annum payable semi annually One Note drawing interest from August 1st 1856 payable Aug 1st 1860 one Note drawing interest from Sept 1st 1856 payable Sept 1st 1861 and the other Note drawing interest from Oct 1st 1856 payable Oct 1st 1862

Your petitioners pray that said John K Brewster Josiah B Smith James Burtchell Nelson Putnam Alexander Keely Homer A Nelson and John A Clark & Daniel S Brewster may be made defendants to this your petitioners said action that a summons may issue on this Amended summoning them to appear at

the several Lettings of this Court and one more this petitioning and that
your petitioners may have a full and perfect lien on the lots
and parcels of land first described whereon which said Hotel
building has been erected and also upon said Hotel building
and the appurtenances for the amount of your petitioners claim
as hereinbefore set forth and that your petitioners may have
Special Execution for the sale of said building and said land
first above described and that your petitioners may have
such other and further relief as this Court by virtue of the
powers thereby conferred by the Sixty fifth Chapter of the Revised
Statutes of this State Entitled Liens may grant and as may
be agreeable to Equity and good conscience

Luther Hale & George A Tousley for the use of
George A Tousley by Turner Burleigh & Rollins
their Solrs

Articles of Merchandise sold by Hale & Co to John M Brewster
used in the building Finishing of Hotel Known as Brewster
House

| | | | | |
|---|---|---|---|---|
| 1857 Aug | 3 | 2 Gro Screws | 6/ | 1.50 |
| | 4 | 2 " " | 4/6 | 1.13 |
| | " | 1 " " | 6/ | 75 |
| | 5 | Bands Iron | | 45 |
| | 6 | 2 pr Butt Hooks | 20 | 40 |
| | | 1 Gro Screws | 4/ | 50 |
| | 7 | 5 lbs Brass Butts | 2/ | 1.25 |
| | | 1 lb Brads | | 20 |
| | | Rep Trough | | 75 |

2-70

| | | | | |
|---|---|---|---|---|
| 8 | 2" Nails | | 5c | 11 |
| | 2 Sheets Emergclothe | | 5 | 10 |
| 11 | 2" Latte Nails | | 7 | 14 |
| | 1 Gro Screws | | 4/6 | .56 |
| 12 | 6cs Nails | | 6 | 26 |
| | 1 doz Brass Screws | | | 07 |
| 13 | 1 Gro Screws | | 2/ | 25 |
| | 4 Locks | | 4/ | 2.00 |
| 14 | 1 pa Brads | | | 20 |
| | 1 pr Ribbers | | 2/ | 25 |
| | 2 doz Brass Screws | | | .15 |
| 15 | 1 Mortice Lock | | 8/ | 1.00 |
| 19 | 1 pr Butts & Screws | | | .10 |
| | 1 doz Screws | | | 05 |
| 20 | 1 pa Brads | | | 20 |
| | 5cs Barg Nails | | 7 | 35 |
| 21 | 12cs Spikes | | 5c | 60 |
| | 1 Gro Screws | | 6/ | 75 |
| 22 | 1 " " | 4/ | 4/6 | 1.06 |
| 25 | 1 File | | 2/6 | 81 |
| | 2 doz Screws | | 7 | 21 |
| | 6d Nails | | 5c | .33 |
| 26 | 8d Nails | | 5c | 44 |
| 28 | 2c Casing Nails | | 10 | 20 |
| | 1 pr Butts | | 8 | 50 |
| | 3 Ventilators | | 6/ | 2.25 |
| | 1 Gro Screws | | 5/ | 68 |
| 29 | 200 8d Nails | | 5c | 1.10 |

| | | | | |
|---|---|---|---|---|
| | 7 Bolts | | 10 | 70 |
| | 3 Iron Hooks | | 1/- | 38 |
| | 5 Dzy Screws | | 5. | 25 |
| | 2 lbs Casing Nails | | 1/- | 38 |
| Sept 1 | 20 lbs Nails | | 5½ | 1.10 |
| | 2" " | | 5½ | 11 |
| | 3 Tube cloths | | 1/- | 3.88 |
| | Mortcher Blacking | | | 75 |
| | 7 lbs Nails | | 5½ | 38 |
| 2 | 1 Doz Screws | | 4/- | 50 |
| 3 | 1 " " | | 5/- | 63 |
| | 7 Locks | | 6/- | 5.25 |
| | 5 Bolts Ea | 1/- | 1/6 | 15½ |
| | 4 hr Bolts & screws | | 1/- | 50 |
| | 2½ Dzy Screws | | 6 | 15 |
| | 1 Lock | | 10/- | 1.25 |
| 4 | 3" Nails | | 5½ | 1½ |
| 5 | 1" " | | | 06 |
| | Screws | | | 40 |
| | 1 Lock | | 10/- | 1.25 |
| | 1½ hr Hinges | | 15 | 22½ |
| 7 | 2" Nails | | 5½ | 11 |
| | Screws | | | 05 |
| | 1 Hasketch | | 6/- | 75 |
| | 4" Nails | | 5½ | 22 |
| | 2 Bolts | | 15 | 20 |
| | 1½ hr Bolts & screws | | | 20 |
| | 1 Paper Box | | | 20 |

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| | | | | |
|---|---|---|---|---|
| 27/4 | 2" Casing Nails | | 10 | 20 |
| | 1 Gro Screws | | 5/- | 63 |
| | 4" Spikes | | 5½ | 22 |
| 9 | 4" Iron Nails | | 7 | 28 |
| | 4 Doz Cloth Hooks | | 2/- | 1.00 |
| | 1 Gro Screws | | 4/- | 50 |
| 11 | 4 Doz Cloth Hooks | | 2/- | 1.00 |
| | 1 Gro Screws | | 4/- | 50 |
| | 1 Auger Bit No 8 | 7/8" | 4/- | 1.20 |
| | 1 Gro Screws | | 7/- | 88 |
| | 2" Iron Nails | | 7 | .21 |
| | 2" Nails | | 5½ | .11 |
| 12 | 4 Door latches | | 2/6 | 1.25 |
| | 4 Bolts | | 1/6 | 75 |
| | 1 Gro Screws | | 2/- | 38 |
| | Bolts & Screws | | | 20 |
| 14 | 1" Nails | | | 06 |
| | 7" Nails | | 5½ | 29 |
| | 5 pr Drawer Knobs | | 15 | 75 |
| 17 | 1 door latch | | 2/6 | 2.1 |
| | 1 chain Brace | | 4/- | 50 |
| | 1 Barrel " | | | 20 |
| | 1 Square " | | | 40 |
| 18 | 2" Nails | | | 1/ |
| | 8" " | | | 44 |
| | 21 feet Conduction | | 15. | 2.15 |
| | 2 Elbows | | 10 | 20 |
| 19 | 2 Handrail screws | | 1/- | 38 |

| | | | |
|---|---|---|---|
| | 3 3 Pack Cramplon | 15 | 4.95 |
| | 2 Elbows | 10 | 20 |
| 21 | 2" Ark Rails | 1/- | 25 |
| | 6 Doz Screws | 10d | 60 |
| 22 | ½" Glue | 2/- | 18 |
| | 5 Doz Screws | 7 | 35 |
| | 3 pr Hinges | 8c | 25 |
| | 1 pr Table Hinges & Screws | | 15 |
| | 1 Barrel bolt | | 50 |
| 23 | 3 Cupboard Locks | 4/- | 1.50 |
| 24 | 4" Nails | | 24 |
| | 1 Gro Screws | | 50 |
| | 1 Thumb Latch | | 18 |
| | 1 pr Butts | 10 | 10 |
| | 2½ Doz Screws | 8 | 20 |
| 26 | 1 Lock | 6/- | 75 |
| | 1 pr Butts | | 10 |
| | 1 Mortice Lock | 7/- | 88 |
| 28 | 1 Spring Latch | 2/6 | 31 |
| | 1 Doz Screws | | 06 |
| | 1 pr Butts | | 10 |
| 29 | 1 pr Butts & Screws | | 15 |
| | 1 Thumb Latch | | 15 |
| 30 | 4" Nails | 6d | 22 |
| | 1 Doz Screws | | 06 |
| | ½ " " | 2/- | 18 |
| | 1 Spring Latch | | 21 |
| 276 | 1 pr Butts & Screws | | 15 |

| | | | |
|---|---|---|---|
| Acts | 2" Spikes | 6d | 13 3/6 |
| 2 | 1 Check Lock | 2/6 | 2/ 2/ |
| | 1 pr Butts & Screws | | 15 8 |
| | 1 pr Hinges | 3/- | 38 0 |
| | Screws | | 10 |
| 2 | 2 Iron Screws | 40 | 80 |
| | 2 Brass Screws | | 10 |
| 5 | 1 Iron Screws | 11- | 50 |
| 6 | 1 " " | | 6/ |
| | 25" Nails | 5d | 1.3/ |
| | 5 Thumb latches | 15 | 75 |
| | 5 pr Butts | 1/ | 63 |
| | Brackets | | 10 |
| 14 | 2" spikes | 5d | 1/ |
| | 1 Lock | 6/- | 75 |
| 16 | 5½ T Hinges | 1/6 | 1.04 |
| 19 | 1 Substation | 8/- | 100 |
| | 2" spikes | 5d | 1/ |
| | 1 Iron Screws | 6/- | 75 |
| | | | $82.92 |

Schedule

Filed November 18 1854

L M Swincamp Clk

By Wm H Barry Deputy

Luther G Hall &
George A Finley for use of
George A Finley

vs

John K Brewster Etal

Petitions for Mechs Lien

By the agreement of ~~Counsel~~ Wm Finney Burchard & Barton Esquires Counsel for the said petitioners and Isaac Marsh Esquire of Counsel for Joseph B Smith Homer A Hubbard Holden Putnam James Butchell John H Shaffer Lucius H Russell Defendants in this cause and Thomas J James Esqr of Counsel for Thirteen Hundred and others made parties Defendants on their petition to this Court in this cause which said agreement was made and entered into in open Court prior to the trial of the issues made by the said parties It is Ordered by the Court that the several answers of the said Defendants filed in the cause wherein Day Thomas is Complainant and John K Brewster Joseph B Smith Homer A Hubbard James Butchell Holden Putnam & Alexander Neely John A Blanke & Daniel S Brewster are Defendants be and the same is taken for an answer in this cause and that the replications filed by the said Day Thomas in the said cause wherein he the said Day Thomas is Complainant as aforesaid be taken and accepted as a replication in this cause

Entered January 28, 1858

Luther G Hall &
George A Finley for use of
George A Finley

vs

John K Brewster Etal

Petitions for Mechs Lien

On motions of the said Petitioners by their Attorney

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by the Court

It is Ordered that they have leave to amend their pleadings so as to make parties to this suit Jackey C Howe, George O Howey Samuel M Payen John B Hutchinson Charles H Dalton & Jacob Kendall & also any other parties who may be discovered as parties in interest in this suit and if they are non residents It is further Ordered that publication of notice be made to said Defendants in a public newspaper as in ordinary cases in Chancery

Entered January 18 1858

Luther B Hall & George N Torrey
for the use of George N Torrey
vs
John K Brewer Etal

Stephenson Co
Circuit Court
April Term A.D. 1858

Amendments to the petition in this cause
made pursuant to the order of said Court that the December
Term A.D. 1857 after the figures "1857" in the 2nd line of the
the 16th of the fifth page in the original petition filed in this
cause read as follows to wit Your petitioners further
shew to your Honor that there was heard in the
Court the Judgments and orders in the said Judgments and
rendered at the September Term of this Court on the twenty
fifth day of September A.D. 1854 in favor of Isaac A Hand
George O Haney Samuel G Bryan & John B Hutchinson
Charles H Dalton and Jacob Shenell & against the said
John K Brewer & John T Shaffer and Louis G Burnell for twenty
seven hundred and two dollars and thirteen cents damages
and the other of said Judgments was rendered in favor of the said
above named plaintiffs against said John K Brewer at said
September Term on the Fifteenth day of September A.D. 1854
for the sum of One hundred and Seventeen dollars and Eighty
eight cents and your petitioners show that said Judgments
were rendered after the lien of your petitioners had attached
to the land and Building thereon Erected in said original petition
described Your petitioners further show that said Judgments
have been nearly paid and satisfied and your petitioners
pray that the said above named plaintiffs in the said Judgments
above named may be made Defendant hereto and your
petitioners further pray that your Honor will decree and order

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Luther & Hale & George N Torrey
for the use of George N Torrey
vs
John K Brewster Etal

Stephenson Co
Circuit Court
April Term A.D. 1858

Amendments to the petitions in the cause made pursuant to the order of said Court at the December Term A.D. 1857 after the figures "1857" in the 2nd & 3rd lines from the 18th of the fifth page in the original petitions filed in this cause read as follows to wit And your petitioners further shew to the Court that the Judgments & Court for Judgments and for which the said Judgments was rendered at the September Term of this Court on the Twenty first day of September A.D. 1854 in favor of Isaac C Haney George O Haney Samuel G Parsons John B Hutchinson & Charles H Dallam and Isaac Thendell & against the said John K Brewster John K Shaffer and Louis V Burnell for Twenty seven hundred and two Dollars and thirteen cents damages and the other of said Judgments was rendered in favor of the said above named plaintiffs against said John K Brewster at said September Term on the Fifteenth day of September A.D. 1854 for the sum of One Hundred and Seventeen Dollars and Eighty eight cents and your petitioners show that said Judgments were rendered after the liens of your petitioners had attached to the land and building thereon Erected in said original petitions described Your petitioners further show that said Judgments have been nearly paid and satisfied and your petitioners pray that the said above named plaintiffs in the said Judgments above named may be made Defendant hereto and your petitioners further pray that your honors will decree and order

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that your Petitioners lien shall attach to the said land and the Premises hereinbefore described thereon as a Prior lien and in preference to the lien of the said Plaintiffs in the said Judgments above described and that your Petitioners claims and demands as set forth in your Petitioners original Petition in this cause shall be entirely paid and satisfied by sale of the said land and Premises Hereto or otherwise as to your Honor shall seem Equitable and just before the said Plaintiffs in the said Judgments above named shall have any of the proceeds of any sale or other disposition of said land and Premises Hereto

Turner Burchard & Barlow
for the Petitioners

Filed Feb 1st 1858 L W Guiteau Clk

Luther G Hale &
George N Tinsley for use of
George N Tinsley

Vs

John K Brewer Etal

Petition for Mech Lien

and the said Defendants
James Mitchell & Co John H Shaffer and Enos J Burrell
Chancellor Keating. Abraham Queen Thompson Alexander
and others securities on the Notes from John K Brewer & John
A Clark Exech to all and every of the findings Orders and
decree from & made and decreed by the Court in the above
entitled cause and pray that this their Exceptions be signed
and sealed by the Court and it is done

Benj A Shelton (Seal)

Entered
Filed Jan 24 1859
L H Guleane Clk

State of Illinois } In the Stephenson County Circuit
Stephenson County } March of the December Term A.D. 1854

To the Hon Benjamin R Sheldon presiding Judge of the Fifteenth Judicial Circuit in the State of Illinois

Your petitioners John Clark and Robert Clark of the City of Chicago in the State of Illinois partners doing business under the name style of John Clark & Son Shew unto your Honor that on the first day of September A.D. 1854 your petitioners did make and enter into a contract with one John M Brewster of said County of Stephenson by which said contract by your petitioners contracted and agreed with the said John M Brewster that your petitioners would furnish the materials for construct build and put up all the iron grating casings for doors iron railing and fencing necessary to be used connected and put up in and about the erection building completing and finishing of certain Hotel building which the said John M Brewster was at the date of said building erecting finishing on the following described lots and land situated in the City of Freeport in the County of Stephenson in the State of Illinois to wit Lots No (5) Five and Six (6) in Block No Fifty one (51) in the original Town of Freeport (now City of Freeport) and bounded all that part of Lot No Seven (7) in said Block described as follows Commencing at the Northwesterly corner of Lot No Six (6) aforesaid and running thence Southwardly along the line between said Lots Six (6) and Seven (7) in said Block Thirty five feet thence Eastwardly on a line parallel with the Rear Street Twenty feet thence Northwardly on a line parallel with the Mechanic Street thirty five feet to Rear Street thence Eastwardly along Rear Street to the place of beginning fronting more full description of said Lots and land

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reference is made to the plat of said Town of Freeport (now City of Freeport) recorded in the office of the Clerk of the Circuit Court in and for said Stephenson County

And your petitioners further show unto your Honor that at the time of making the contract aforesaid the said John H Brewster was the owner in fee simple of all the above described lots and lands And your petitioners further show unto your Honor that in consideration of the contract and agreement of your petitioners as aforesaid to and with the said John H Brewster he the said John H Brewster contracted agreed and promised with and to your petitioners to pay to your petitioners for furnishing the materials for constructing and building and putting up all the iron gratings strongers for cloths iron railings fencing necessary to be used constructed and put up on and about said Hotel building in process of erection and completion on the lots and lands above described such sum as the same should be reasonably worth And your petitioners further show unto your Honor that in pursuance of said contract & agreement your petitioners did immediately after making such agreement to wit on the — day of September A.D. 1857 at the City of Freeport in said County commence the delivering to the said John H Brewster on the lots and lands aforesaid the materials for said iron gratings strongers for cloths iron railings and fencings and did commence the construction of said gratings railings strongers for cloths and iron fencing to be put up in and about the said Hotel building erected upon the lots and lands aforesaid And your petitioners further show unto your Honor that by the terms of the agreement aforesaid

yrs petitioners were to complete and finish the erection and putting up of said grating, strings for stoops, iron railings and fencing within a reasonable time after the making of the agreement aforesaid and yrs petitioners aver that they had furnished the materials for and completed finished and put up all the iron railings, gratings, fencing, strings for stoops necessary to be erected and put up on and about said Hotel building and had completely and entirely finished and fulfilled their said contract and agreement with the said John K Brewster on the 2nd of the 1st day of November AD 1865 and that said contract and agreement was fulfilled by yrs petitioners within a reasonable time according to the intent and meaning of said contract and the parties thereto and yrs petitioners further show unto your Honor that according to the terms of the contract and agreement aforesaid between yrs petitioners and the said John K Brewster the said John K Brewster was to pay and agree to pay to yrs petitioners the entire amount which would be due by the terms of the agreement aforesaid to yrs petitioners for the furnishing the materials for and for erecting and putting up of the iron gratings, fencing, strings for stoops and railings aforesaid in and about the said Hotel building when the same should be finished and their said contract should be fulfilled and completed. And yrs petitioners further show unto your Honor that the materials furnished for and the erection and putting up of the said iron grating strings for stoops fencing and iron railings which have been put up in and about the said Hotel building erected upon the lots and land aforesaid for the said John K Brewster by yrs petitioners as aforesaid

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of the agreement aforesaid more reasonably so to the sum of
Three Hundred and sixteen Dollars and five cents which said
sum of money became due and owing from the said John K
Bierstein to your Petitioners for their services as aforesaid and for
materials furnished as aforesaid on the 2nd day of December
A.D. 1857 pursuant to the terms of the agreement between the said
John K Bierstein your Petitioners and which said sum of Three
Hundred and Sixteen Dollars and five cents still remains
due and unpaid and owing from the said John K Bierstein to
your Petitioners for the furnishing the materials for and erec-
ting and putting up the said iron grating, stringers for
stoops iron fencing and railings which have been put up by
your Petitioners for the said John K Bierstein in and about the
said Hotel building erected and built on the lots and lands
hereinbefore described which said Hotel building is known
and described as the Bierstein House
And your Petitioners further shew unto your Honor that upon
examination of the records in the Office of the Clerk of the Fourth
Court in and for said County of Bleecker in your Petitioners find
what purports to be the record of a deed of three made and executed
by the said John K Bierstein and Emily L Bierstein his Wife to
Joseph R Smith Trustee which said deed bears date the Twenty
second day of March A.D. 1856 and is recorded in Book Liber Mort-
-gages Page 219 which said Deed conveys to the said Joseph R
Smith the following described real estate to wit All those
parts of lots Three and Six in Block Fifty six in the Town of
Frechville aforesaid which lie Eastwardly of a line drawn
through the centre of said lots Three and Six parallel with the

Purchaser Sheetin said Town. also Lots three four and five in Block Fifty one in said Town which said Deed of Sale was made and executed to secure the payment of a certain promissory note signed by said John K Brewer bearing date the Twenty second day of March AD 1856 which said Note was made payable to James Mitchell & Co Eighteen months after the date thereof, said note being for the sum of Five Thousand Dollars with interest at ten per cent per annum Your petitioners are informed and believe that the firm of James Mitchell & Co to whom said Note was given was at the time said Note was executed composed of James Mitchell Holden Putnam and Alexander Reedy Your petitioners further sheweth unto your Honor that there also appears upon the records in the Office of the Clerk of the Circuit Court in and for said County what purports to be the record of a Deed of Trust made and executed by the said John K Brewer and Emily L Brewer his wife to Henry St Hubbard Trustee which said Deed bears date the fifth day of July AD 1855 and is recorded in Book No of Mortgages page 114 by which said Deed the said John K Brewer and Emily L Brewer his wife conveyed to the said Henry St Hubbard the following described real Estate situated in said County of Shelby to wit Lots five and six in Block Fifty six in the Town of Sheffield, said Deed of Trust was made and executed to secure the payment of three certain promissory notes for the sum of Five Thousand Dollars each all of which notes bear date the Twenty third day of June AD 1856 and are payable to the order of John C Clark. The first of said Notes is payable on the first day of August AD 1860 with interest from the first day of August AD 1856 The second

of said Notes is payable on the first day of September A.D. 1861 with interest from the first day of September A.D. 1856. The third of said notes is payable on the first day of October A.D. 1862 with interest from the first day of October A.D. 1856 The interest on all of said Notes being at the rate of Ten per cent per annum payable semi annually on the current rates of Exchange on New York. Your petitioners further shew unto your Honor that the three promissory Notes last above mentioned & secured the payment of which said Trust deed was made and executed by Homer D. Hibbard as above set forth were each and all signed by the following named persons as joint makers to wit John K Brewster Chancellor Marvin James Whitehall Henry Starkey Henry A Pennimans John Reese John O Taylor Jared Sheely Thompson Wilcox & John Coates Truman Bright John Rachel Goldsmith M Clayton. Francis Foley, Asahel D. Rose Abraham Greene. Thomas Callaman John R Pyatt, Williams D. Buckley. John S Emmerth. Holden Putnam Leland Clark & Jon Wade Jesse B Snyder Silas Eng & Alexander Hunt. Charles Rosenstiel Hollis Gerald Peterson & Holden James R Childs George Purnton Thomas J Turner Mathias Hellinger Asaac Taylor. Ebenezer H Hyde Jacob Regard. Francis H S Bradley, and Rudolph Pondaker Your petitioners further deveant to your Honor that on the fourth day of November A.D. 1857 the said John K Brewster executed by a certain deed of assignment to John A Clark and Daniel S Brewster the pieces and parcel of land with the appurtenances thereunto belonging & such above described on which has been erected and built the Brewster House as hereinbefore set forth &

by which last named deed of assignment the said John K Brewster
conveyed to said John A Clark and Daniel S Brewster said real
estate in trust for certain purposes mentioned in said deed
of assignment and on the day last aforesaid said John K
Brewster and Emily L Brewster did sign seal and deliver
to said John A Clark and Daniel S Brewster a deed of conveyance
commonly called a quit claim deed by which said last mention-
=ed deed of conveyance the said John K Brewster and Emily L Brewster
his wife quit claimed all their right title and interest of them the
said John K Brewster and Emily L Brewster his wife to the said
John A Clark and Daniel S Brewster their heirs and assigns of
and to all the lots and parcel of land such herein above
described on which the said Brewster House is built
Your petitioners pray that the said John K Brewster Joseph B Smith
James Tuttle Hellen Putnam Alexander Healy Homer D Hibbard
John A Clark and Daniel S Brewster may be made parties defe-
=ndants to this your petitioners further pray that your petitioners
may have a full and perfect lien upon the lots and
parcel of land such above described upon which has been erected
and built the Brewster House as herein before set forth and also
upon said Brewster House and the appurtenances thereunto
belonging to the liquidation and satisfaction of your petitioners
aforesaid claims and demands for furnishing the materials
for and for constructing and putting up of the said iron
gratings stringers for stairs iron railings and fences in
and about the said Brewster House as herein before set forth
and that your petitioners may have a special decree
awarded for the sale of the building and premises such
above described and that your petitioners may have such

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other and further relief as the nature of their case shall require and as shall be agreeable to Equity. May it please your Honor to grant unto your Orators a writ of Summons issuing out of and under the seal of this Honorable Court directed to the said John K Peerce Lorenzo D Smith James Mitchell Hosea Putnam Homer D Hubbard John A Clark and Daniel A Penton of said County of Stephenson and Alexander Healy of the County of Boone in the State of Illinois Commanding them and each of them by a certain day and under a certain penalty to be therein inserted to be and appear before your Honor and then and there to answer the premises and to stand to and abide such order and decree herein as to your Honor shall seem meet

John Clark
Robert Clark
By Smith & Hubbard
their Attorneys

Filed Nov 14 1854 L M Gilman Clk

State of Illinois } In the Circuit Court to said County
Stephenson County } of the December Term A.D. 1859

John K. Pierce & Josiah B. Smith &
James Bucknell Holden Putnam
Alexander Reely Homer N. Hebard
John M. Clark

vs

John Clark and Robert Clark
partners doing business under the
name and style of John Clark & Co

The separate answer of
John K. Pierce one of the

Defendants in the above entitled suit to the bill of the above named Plaintiffs filed in said Court for a Mechanics lien. The said John K. Pierce answering says that it is true that this respondent did on or about the first day of September A.D. 1859 make and enter into a contract with the said John Clark and Robert Clark partners doing business under the name and style of John Clark and Son by which said contract the said Plaintiffs agreed to and with this respondent that they would furnish the materials for and construct build and put up all the iron grating, stringers, fire escapes iron railings, and fencing to be used on the building and completing of a certain Hotel building which this respondent at the date aforesaid was building in the City of Freeport in the County of Stephenson and State of Illinois on the lots and land in the said bill set forth and described and this respondent further answering says that in consideration of the aforesaid contract and agreement of the said

Plaintiffs this respondent did enter into agreement and promise to and with the said plaintiffs that he would pay to the said petitioners for furnishing the materials for and constructing building and putting upon all the iron grating, Stringers for stairs, iron railings and fencing necessary to be used on erected and put upon and about said Hotel building, then in the process of erecting and completing on the lots and land aforesaid such sum of money as the same deserved reasonably worth And this respondent further answering says that the said petitioners did immediately after the making of the aforesaid contract that is to say some time in the month of September A.D. 1857 in pursuance of the terms of their said agreement with this respondent commence the delivering to this respondent on the lots and land in said petition described the materials for said iron gratings Stringers for stairs iron railings and fencing and did then and there commence the grating, railings, stringers for stairs and iron fencing upon the building aforesaid and that on the first day of November A.D. 1857 the said petitioners had entirely completed the furnishing of the said materials and doing the said work in pursuance of the terms of the said contract with this respondent on the said lots and land and that the said materials so as aforesaid furnished and the said work so as aforesaid done was worth the sum of Nine hundred sixteen dollars and fifty cents which said sum was due and owing to the said petitioners from this respondent for the said materials so as aforesaid furnished and the work so as aforesaid done by the said petitioners for this respondent on the Hotel building aforesaid on the said

Inst the day of November A.D. 1854 and this instrument further
answering admits that on the first day of September A.D.
1854 he was the owner in fee simple of the lots and land
in the said petition described

John K. Brewster

State of Illinois }
Stephenson County } ss. John K. Brewster being first
duly sworn on oath says that the foregoing answer to the
matters & things therein contained are true

John K. Brewster

Subscribed & Sworn to this 14th
day of December A.D. 1854 before me
N. A. Kellogg Notary Public

L. T. Sunbeam & Co

John Clark &c
Robert Clark &c
vs
John M Brenton Etal

Petition for Dreds Lein

By the agreement of Prentiss Smith Esqure of Counsel for the said petitioners and Jason Marsh Esqure of Counsel for Joseph B Smith & Homer S Hibbard Holden Putnam & James Mitchell & John W Shaffer & Louis L Purrell Defendants in this cause and Thomas J Turner Esqr of Counsel for Thomas Alexander & others made parties Defendants) on their petition to this Court in this cause which said agreement was made and entered into in open Court prior to the trial of the issues made by the said parties It is ordered by the Court that the several answers of the said Defendants filed in the cause wherein Day Thomas is complainant and John M Brenton Joseph B Smith & Homer S Hibbard James Mitchell Holden Putnam & Alexander Neely John A Clark & Daniel J Brenton are Defendants be and the same is taken for an answer in this cause and that the replication filed by the said Day Thomas in the said cause wherein he the said Day Thomas is Complainant as aforesaid be taken & said & received as a replication in this cause

Entered January 18, 1858

John Clark &c
Robert Clark &c
vs
John M Brenton Etal

Petition for Dreds Leins

On motion of the said petitioners by their Attorney It is Ordered by

the Court that they have leave to amend their petition so as to make parties to this suit Judge Thomas. George O Kinney Samuel K Payson & Thos R Hutchinson Charles H Dalton & Jacob Bendell Esqrs also any other parties who may be necessary as parties in interest in this suit and if they are non residents this further Ordered that publication of notice be made to said Defendants in a public newspaper as in ordinary cases in Chancery

Entered January 18 1858.

John B Clark & Robert Clark } In the Circuit Court of Stephenson County
Es } in the State of Illinois of the April Term
John K Brewster Etal } A.D. 1858. Amendments to the petitione
filed in this cause made pursuant to the order of said Court at the
December Term A.D. 1854 "after the word" which in the fourteenth
line from the top of the Eleventh page of the petition read as
follows (with And your petitioners further show unto your
Honor that there is among the records of this Court in the Office of
the Clerk of this Court a record of two judgments one of which said judgments was
rendered at the September Term of this Court on the Twenty fifth day of
September A.D. 1854 in favor of Jabez B Hunt George D Honey Samuel G
Payson, John B Kutchins Charles H Dalton and Jacob Shendell &
against the said John K Brewster John W Shaffer and Louis F Burrell for
the sum of Twenty seven Hundred and two Dollars and thirteen cents
damages and the other of the said judgments was rendered in favor of
the aforenamed plaintiffs against the said John K Brewster at the said
September Term of this Court on the fifteenth day of September A.D.
1854 for the sum of Six hundred and seventeen dollars and Eighty
Eight cents damages. And your petitioners further show unto
your Honor that the said judgments were rendered as aforesaid long
after the lien of your petitioners had attached to the land in your
petitioners original petition described. And your petitioners
further show unto your Honor that the said judgments have been
wholly paid and satisfied And your petitioners pray that
the said above named plaintiffs in the said judgments above named
may be made defendants hereto and your petitioners further pray
that your Honor will decree and order that your petitioners lien
shall attach to the said land and the Brewster House Erected thereon

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as a prior lien and in preference to the lien of the said Plaintiffs in the said Judgments above recited and that your petitioners claim and demands as set forth in your petitioners original petition in this suit shall be entirely paid and satisfied by the sale of the said land and Premises Hence or otherwise as to your Honor shall seem Equitable and just before the said Plaintiffs on the said Judgments above named shall have any of the proceeds of any sale or other disposition of said land and Premises Hence

Sneed & Hebbard
Solicitors for petitioners

Filed Jan 25. 1858
L W Guiteau Clk

John Clarke
Robert Clarke
vs
John K Brewster Et al

Petition for Mech's Lien

and the said Defendants James Mitchell & Co John M Shaffer and Louis H Burrell Chancellor Harding Abrahams Greene Thompson Hickox and others securities on the Notes from John K Brewster to John M Clarke Except & all and every of the findings Orders and Decree from made and decreed by the Court in the above Entitled causes and pray that this their Exception be signed and sealed by the Court and this done

Benj R Shelton Seal

Entered
Filed Jan 24 1859
L M Lemleaux Clk

State of Illinois } In the Circuit Court of
Stephenson County } ss. Stephenson County of the
December Term A.D. 1857

To the Honorable Benjamin R. Sheldon presiding Judge
of the Fourteenth Judicial Districk in the State of Illinois

Your petitioner Jonathan Lippery a resident of the County of
Stephenson and State of Illinois respectfully shows unto
your Honor that your petitioner on the Twenty Eighth day of
August A.D. 1856 at the County aforesaid made a contract with
John K. Brewster of said County who then was the owner in fee
of the lands hereinafter described by which said contract
your petitioner agreed to and with the said John K. Brewster
that your petitioner would furnish Iron Steel and Labor as a
Blacksmith to be used and furnished in and upon a certain
Hotel building which he the said John K. Brewster was then
building erecting and finishing on the City of Freeport in
said County and State on lots Number Five and Six (5 & 6)
and a part of lot Number Seven (7) in Block Number
Fifty six (56) in the original Town of Freeport (now City of
Freeport in said County and State) that part of lot Number
Seven in said Block Number Fifty six (56) in said original
Town now City of Freeport is described as follows Commencing
at the Northwesterly corner of said Lot Number Six (6) and
running thence Southwardly on a line between said Lots
Number Six and Seven in said Block Number Fifty
six Thirty five feet thence Eastwardly on a line parallel with
Budge Street in said Town (now City) Twenty feet thence North-
wardly on a line parallel with Mechanic Street in said Town
(now City) Thirty five feet to said Budge Street thence

Eastwardly along Burgs Street twenty feet & the place of beginning for a more full description of said lots and part of lot reference is made to the plat of said Town of Freeport (now City of Freeport recorded in the Office of the Recorder of said County. And your petitioner further doth unto your Honor that your petitioner at the time aforesaid agreed to and with the said John K Brewster that he would do all the work and labor necessary to be done by him as a blacksmith in and about said building so as aforesaid in the process of being built erected and finished on the lots and part of a lot aforesaid, and your petitioner further then and there agreed to and with the said John K Brewster that he would furnish all the Iron Steel and the labor. ~~the~~ required of him by the said Brewster in said building and the labor of your petitioner in the working & manufacturing of said Iron and Steel ~~agreed that said Brewster~~ ~~said building~~ for the sharpening preparing and mending of tools of men who the said John K Brewster had employed as laborers upon said building and for the furnishing of said materials and labor as aforesaid the said John K Brewster then and there agreed to pay him the customary price for such labor and materials as was then going on the said City of Freeport. Your petitioner further doth unto your Honor that by the terms of his said contract with the said John K Brewster he was to furnish Steel Iron and such other materials and to do the work as aforesaid on for said building as fast as the said Brewster was ready to receive the same from your petitioner And your petitioner further doth unto your Honor that in

consideration of said contract made by your petitioner with the said John K Brewster the said John K Brewster did then and there agree to pay to your petitioner the reasonable market prices in the said City of Freeport for the materials furnished and the labor of your petitioner as aforesaid for all the labor and materials furnished by your petitioner in and upon said building And your petitioner further shews unto your Honor that in pursuance of the terms of the aforesaid contract your petitioner did immediately after the making of said contract as aforesaid that is to say on or about the first day of September A.D. 1856 commence to furnish the said materials such as Iron Steel & other materials and labor on said building and your petitioner continued to furnish said labor & materials as aforesaid for said building from time to time as they were necessary to be used in and about the erection and completion of said building and your petitioner continued to furnish the said materials & labor as aforesaid until the first day of October A.D. 1857 at which said last mentioned date the work and labor of your petitioner had been rendered and the materials aforesaid had been furnished by your petitioner and in accordance and in pursuance of the terms of the aforesaid Contract of your petitioner and the said John K Brewster. and for a particular specification of the work done and the materials furnished by your petitioner and upon said building your petitioner refers to (and prays) that the same may be made a part of this petition and hereto annexed marked Exhibit A.

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Your petitioner further shows unto your Honor that on the said first day of October A.D. 1855 your petitioner had entirely completed and fulfilled his said contract on the part of the said John K. Brewster as aforesaid and that on the said last mentioned day there was due and owing to your petitioner from the said John K. Brewster for the lumber and other materials and the labor rendered done performed and furnished as aforesaid in and upon said building in pursuance of the said contract the sum of One Hundred and Sixty six Dollars and fifty Eight cents which said last named sum is still due and owing to your petitioner from the said John K. Brewster with the exception of the sum of Fifty two Dollars and thirty Eight cents which has been paid to your petitioner on said contract by the said John K. Brewster leaving a balance of Eighty four Dollars and twenty cents still due and owing to your petitioner by the said John K. Brewster on said contract which is now due and your petitioner further shows unto your Honor that at the time said contract was made as aforesaid and on the said day last aforesaid the said John K. Brewster was the owner in fee simple of all the lands above described and on which the said building was and is erected Your petitioner further shows unto your Honor that on the 22d day of March A.D. 1856 the said John K. Brewster and Emily L. Brewster his wife Executed and delivered to Josiah B. Smith as Trustee for James Buckell & Co a deed of Trust to secure the payment of a Note of Nine Thousand Dollars made by the said John K. Brewster to James Buckell & Co (the names of the persons who composed James Buckell & Co

at that time were James Butchell Holden Putnam and Alexander Reely) upon and lots five and six on Block Fifty six which all those parts of lots Five and Six on Block Fifty six in the Town of Freeport aforesaid which lies East and of a line drawn through the centre of said lots Five Six parallel with the Mechanics Sheeting said Town and a part of the foregoing described tract of land on this your petitioner petition mentioned and described and also upon lots Three Four and Seven on Block Number Fifty One in said Town (now City) County and State as aforesaid and that the said Brewster had not at that time commenced the Erection of the said Hotel building upon said lands as aforesaid and that said deed bears date at a time prior to any improvements that have been made upon said land and prior to the date of the encumbrance of your petitioner with the said John K Brewster and that said deed was filed for Record in the office of the Clerk of the Circuit Court of Stephenson County Illinois on the 26th day of March A.D. 1856 and to which record and deed your petitioner begs leave to refer and to make proof thereof as this Honorable Court shall direct. Your petitioner further shows unto your Honor that on the 8th day of July A.D. 1856 the said John K Brewster and Emily L Brewster his wife made executed and delivered to Homer D Ketchum as Trustee and John A Clark as Cestui Que Trust a Trust Deed in lots Five and Six in Block Number Fifty one of said land upon which said Hotel building is erected to secure the payment of three Notes of Five Thousand Dollars each and more particularly in said Trust Deed described and that said Deed was filed

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for record in the Office of the Clerk of the Circuit Court of Stephenson County Illinois September 8th A.D. 1857 and to which record and deed your petitioner begs leave to refer and to make such proof thereof as this Honorable Court shall direct. Your petitioner further showeth unto your Honor that the said John K Brewster and Emily L Brewster his wife did on the 4th day of November A.D. 1857 make Execute acknowledge and deliver to John A Clark and Daniel S Brewster a deed of assignment and conveyance commonly called a Quit claim Deed for the benefit of the creditors of the said John K Brewster and assigned and quit claimed their interest in the lands [illegible] described in this your petitioners petition as aforesaid and which terms of said assignment your petitioner absolutely refuses to accept or become liable to or as party thereto Your petitioner further shows that said deed of assignment was filed for record on the 5th day of November A.D. 1857 in the Office of the Clerk of the Circuit Court of Stephenson County Illinois and to which your petitioner begs leave to refer and make such proof thereof as your Honor shall direct

Your Petitioner therefor prays that the Quit claim deed from John K Brewster and Emily L Brewster his wife to Joseph B Smith Trustee for James Bucknell &c as aforesaid to secure the said Note of Five Thousand Dollars as aforesaid shall only extend to such an interest in the lands which is described in said deed and upon which said Hotel Building is erected as was the value of said land at the time of the making of the contract by the said John K Brewster or the

your petitioner and also in proportion to the interest which the said deed of Trust covers on other lands lacking the valuation at the time of the making of the said Encroach as aforesaid with your petitioner of all the said land described in said deed of Trust and upon which said land the said deed of Trust is a lien or encumbrance

Your petitioner also prays that the Trust deed from John K Brewster and Emily L Brewster his wife to Homer N Hubbard Trustee and from John A Clark & Curtis Dustin to secure the sum of fifteen Thousand Dollars as aforesaid shall only extend to such an interest in the land in said Trust deed described and upon which said Hotel building is Erected to wit Lots three and six on Block number fifty one in the said City of Freeport Stephenson County Illinois as was the value of the said land at the time of the making of the Encroach between your petitioner and the said John K Brewster as aforesaid and that both of the said Trust deeds be so far set aside so as not to interfere with the lien of your petitioner upon said Hotel building as aforesaid. and that your petitioner may have a full Entire and perfect lien upon said land and Hotel building in preference to said Trust deeds and to the Extent of your petitioners claim and that your petitioner may have a special Execution awarded for the sale of the said Hotel building and for the land upon which it is Erected and that your petitioner may have such further and such other relief as the nature of this case shall require and as shall be agreeable to Equity

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Your Petitioner further prays that the said John K Brewster Joseph B Smith & James Mitchell Holden Putnam Alexander Reely Homer R Hibbard John A Clark & Daniel S Brewster may be made parties defendants to this your Petitioners Petition & May it please your Honor to grant unto your Petitioner a writ of summons issueing out of and under the seal of this Honorable Court directed to the said John K Brewster Joseph B Smith & James Mitchell Holden Putnam & Homer R Hibbard John A Clark & and Daniel S Brewster of the County of Stephenson & Illinois and Alexander Reely of the County of Boone & Illinois Commanding them and each of them by a certain day and under a certain penalty to be therein inserted to be and appear before your Honor and then and there to answer the premises and further to stand to and abide such order and decree herein as shall be agreeable to Equity and good Conscience and your Petitioner will ever pray &c

Jonathan Tupper by
Hurlbut Bush his Atty

John K Brewster

To Jonathan Tupper Dr

| | | | |
|---|---|---|---|
| 1856 Sept 4 | To | 5 Shafts | 50 |
| " 8 | To | 1 Pen knife 5 Shafts | 1.00 |
| " 9 | To | 2 Shafts | .20 |
| " 14 | To | 2 Claws & Forks | 1.25 |
| " 24 | To | 444 lbs Horse Irons | 6.16 |
| " 29 | To | 24 lbs Anchors | 2.12 |
| Oct 2 | To | 13 lbs " | 1.82 |
| " 4 | To | 36 lbs " | 5.04 |

| | | | |
|---|---|---|---|
| | " 12 | To 23 lbs " | 3.22 |
| | " 13 | To 6 lbs horseshoes | .96 |
| | " 14 | To 24 lbs " anchors | 3.36 |
| | " 15 | To mending Cast Caps & brackets | 6.00 |
| | " 17 | To 12 lbs anchors 2 new shoes 2 bolts | 3.00 |
| | " 18 | To 19 " " | 2.44 |
| | " 21 | To mending Casting | .25 |
| | " 22 | To 13 lbs Horseshoes | 1.36 |
| | " 23 | To 12 " anchors | 1.68 |
| | " 24 | To mending Castings | 1.00 |
| | " 24 | To 18 lbs Horseshoes 24 Bolts | 3.00 |
| | " 28 | To 53 " anchors 2 new shoes 2 removed | 8.42 |
| | " 29 | To 10 " " | 1.30 |
| | | To mending Castings | 1.00 |
| From | 5 | To 12 lbs anchors | 1.50 |
| | " 8 | To 1 new shoe | 38 |
| | " 8 | To mending Castings | 25 |
| 1866 From | 11 | To 19 lbs anchors 5 Bolts mending Castings | 3.53 |
| | " 13 | To 1 plate | 25 |
| | " 15 | To 6 lbs anchors | 1.18 |
| Dec | 10 | To cutting pins | 25 |
| | " 16 | To fixing reach | 25 |
| | " 22 | To 1 rod | 2.0 |
| 1865 Feb | 24 | To 25 lbs Horseshoes | 4.40 |
| Mar | 2 | To reach for stove door | 1.15 |
| April | 13 | To mending stove door | 50 |
| May | 8 | To 2 hinges | 34 |

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| | | | |
|---|---|---|---|
| " | 21 | To 2 Hooks | 1.15 |
| " | 25 | To 36 pipe Hooks | 2 60 |
| " | 28 | To 4 Dredging plaining &c | 4.00 |
| June | 4 | To 1 plaining &c | 1.00 |
| " | 10 | To Handle on table & 2 plumevers | 3.25 |
| " | 14 | To 126 lbs Irons for castings | 15.38 |
| " | 21 | To 1 plaining &c | 1.00 |
| July | 23 | To making Strainer | 1.50 |
| Aug | 4 | To 3 pins & 2 plates | 50 |
| " | 10 | To 15 lbs large bolts for Engines | 9.15 |
| " | 11 | To 51 lbs bolts and Irons | 6.63 |
| " | 12 | To 36 Hooks for pipes | 2.88 |
| " | 14 | To 24 Hooks 11 washers 6 nuts | 2.55 |
| " | 19 | To 36 " | 2.84 |
| " | 20 | To 1 Drill | 50 |
| " | 21 | To 1 mineb | 48 |
| " | 22 | To 2 bolts 1 band saw | 38 |
| " | 24 | To 2 lbs band Iron 1 tote | 15 |
| 1854 Aug | 25 | To head on pipe use of fire | 1.00 |
| " | 24 | To 1 cast steel mandrel | 1.50 |
| Sept | 3 | To 4 rods 11 washers | 32 |
| " | 9 | To 4 hooks | 1.00 |
| " | 10 | To use of fire | 50 |
| " | 16 | To 2 old shoes 2 removes | 80 |
| " | 28 | To 1 Brace | 20 |
| Oct | 1 | To 2 Hooks | 50 |
| " | 5 | To repairing buggy | 1 00 |
| | | | 126.58 |
| | | 6 By Merchandise | 52.38 |
| | | | 18 84 20 |
| | | Enoch CL | |

Jonathan Tippery
&c
John K Brenster Etal

Petition for Breds Lien

By the agreement of ~~Daniel D~~ Hiram Bright Esqr of Counsel for the said Petitioner and Jas W Marsh Esqr of Counsel for Joseph P Smith, Homer N Hebbard, Holden Putnam, James Bucknell, John K Shaffer, Louis H Burrell Defendants in this cause and Thomas J Turner Esq of Counsel for Thompson Alexander and others made parties Defendants in their petition to this Court in this cause which said agreement was made and entered into in open Court prior to the trial of the issues made by the said parties It is Ordered by the Court that the several answers of the said Defendants filed in the cause wherein Day Thomas is Complainant and John K Brenster Joseph P Smith, Homer N Hebbard, James Bucknell Holden Putnam, Alexander Keely, John K Clark & James J Brenster are Defendants be and the same is taken for an answer in this cause and that the replication filed by the said Day Thomas in the said cause wherein he the said Day Thomas is Complainant as aforesaid be taken and accepted as a replication in this cause

Entered January 18, 1858

Jonathan Tippery
&c
John K Brenster Etal

Petition for Breds Lien

On Motion of the said Petitioner by his Attorney It is Ordered by the Court that he have leave to amend his petition so as to make

parties to this suit & Abeg Clerk & Keeper & Attorney Samuel M
Payne & Thos B Hutchison Charles H Dalton & Wm Tebbs Kendall
& also any other parties who may be discovered as parties
in interest in this suit and of the residence of which Defend-
ants or either of them shall make affidavit & this further
Order that publication of notice be made to said Defen-
dants in a public newspaper as in ordinary Cases in Chancery

Entered January 18 1858

State of Illinois } In the Circuit Court of Stephenson
Stephenson County } ss County Illinois of the April Term
A.D. 1858

Jonathan Tipperry
vs
John K Brewster Def't } Amendments to the original
petitions in this cause made
pursuant to an order of the Court at the December Term
A.D. 1854 after the words "as your Honor shall direct, on the
fourth page of the original petition filed by Jonathan Tipperry
in the above cause read as follows And your petitioner
further sheweth unto your Honor that on the 25th day of
September A.D. 1854 Sabez C Howe George O Kovey Samuel K
Rayson John B Hutchinson Charles K Dalton and Jacob
Thewell & Copartners recovered a Judgment in the Circuit Court
of Stephenson County Illinois for the sum of Twenty seven
hundred and two Dollars and thirteen cents against John
K Brewster & John W Shaffer and Louis L Purcell and that said
Judgment still remains of record in the office of the Clerk
of the Circuit Court of Stephenson County Illinois in full force
and unsatisfied and apparently a lien upon the property
real of the said John K Brewster And your petitioner further
sheweth unto your Honor that on the 15th day of September A.D.
1854 Sabez C Howe George O Kovey Samuel K Rayson John B
Hutchinson Charles K Dalton and Jacob Thewell & Copartners
recovered a Judgment in the Circuit Court of Stephenson County
Illinois for the sum of Six Hundred and Seventeen Dollars and
Eighty eight cents against the said John K Brewster and that
said Judgment still remains of record in the office of the

Clerk of the Circuit Court of Stephenson County Illinois
in full force and unsatisfied and apparently a lien upon
the property real of the said John K Bierer
And your petitioner further shows unto your Honor that
the said Judgments were rendered as aforesaid and during
time subsequent to the attaching of the liens of your petitioner
& the land and Hotel building in the original petition of your
petitioner described And that your petitioner is informed
and believes that the said Judgments have been nearly all
in amount paid and satisfied. Your petitioner therefore
prays that the said Jabez C Howe George O Honey. Samuel K
Payson John B Kuhlmen Charles K Dalton and Jacob
Wendell Jr be made party Defendants to this petition
and that they may be summoned to answer according to
Law Your petitioner therefore prays that the Judgments afore-
said against the said John K Bierer as aforesaid may both
and Each of them be so far set aside as not to interfere with
the lien of your petitioner upon said land and Hotel building
described in said original petition and that your petitioner
may have a full Entire and perfect lien upon said land
and Hotel building in preference to Each or both of said Judgments
and to the full extent of your petitioners claim and his costs in
his proceedings And that your petitioner may have such further
and other relief as the nature of his case shall require and as
shall be agreeable to Equity and good Conscience

Swain Bush atty for petitioner

Filed Jan 26 1858
L W Leiteau Cl Ms

Jonathan Lippery

vs

John M Brewster Etal

Petition for Mechs Lien.

And the said Defendants James Mitchell & Co John M Shaffer and Louis L Burrell Lancelot Manlius Abraham Greene. Thompson Helsinger and others securities on the Prater from John M Brewster to John M Clark Excepts to all and every of the findings Orders and Decree found made and decreed by the Court herein the above Entitled cause and pray that this their Exception be signed and sealed by the Court and it is done

Benj R Shelton Seal

Filed & Entered
Filed Jan 24 1859
L M Guiteau Clk

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State of Illinois } Stephenson County Circuit Court
Stephenson County } ss December Term A.D. 1859

To the Circuit Court of Stephenson County in the State of Illinois The Petition of Lyman Pelletier George M. Pickell & Theodore Pelletier respectfully shows to this Honorable Court as follows. That during the summer of A.D. 1856 one John M. K. Brewster commenced the erecting and building of a Hotel building in the City of Freeport in said County which he has since completed and finished and the same is now known as the Brewster House. Said building was built and is situated upon the following described lots and parcels of land situate lying and being in the City of Freeport County of Stephenson and State of Illinois to wit Lots Numbers Nine and Six in Block Sixty six in the original town of Freeport and a part of Lot No Seven in said Block bounded as follows Commencing at the North Easterly corner of said Lot No Seven and running thence South Easterly on the North Easterly line of said Lot No Seven Thirty four feet thence Southwesterly and parallel with Rudys Street in said City Twenty feet thence North-Westerly and parallel with the Mechanics Row in said City Thirty five feet to Rudys Street thence North Easterly along the line of Rudys Street to the place of beginning and Brewster was the owner in fee of said land and of said building during all the time the same was being erected and was such owner from before the 1st day of March A.D. 1856 until the 4th day of November 1859 Your Petitioner further shows that he is in business in the City of Chicago in said State engaged in the manufacture and vending of Iron Brackets, Parlor Grates, Venders &c and was then engaged in the month

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of July A.D. 1859 that on or about the 23rd day of July 1859 the agent of said Brewster called at the place of business of your petitioner and examined his stock of parlor grates and selected therefrom five parlor grates known as No 46 marked and requested your petitioner to sell the same to said Brewster to be used in the building and furnishing of said Brewster House and requested your petitioner to deliver the same at the depot of the Galena & Chicago Union Railroad Company in the City of Chicago directed to said Brewster at said City of Freeport and said agent further promised and agreed that said Brewster would pay your petitioner the sum of Seventeen Dollars for each of said grates and what the boxes necessary for the safe transportation of said grates were reasonably worth such payment to be made as soon as said grates arrived at Freeport

Your petitioner further shows that at said time & place in consideration of said promise & agreement of said Brewster Your petitioner promised on his part to sell said grates to said Brewster and deliver the same at the place requested directed as ~~he~~ requested for the price above stated to be offered and promised to furnish necessary boxes for transporting the same from that said boxes were reasonably worth and agreed on his part to receive such payment when said grates should arrive at Freeport Your petitioner further shows that on said day he delivered said five parlor grates at the place above requested carefully enclosed in two boxes for which your petitioner paid One Dollar Each and which were were reasonably worth that price and your petitioner directed the same as required

Your petitioner further shows that said Parlor grates arrived at said City of Freeport on or before the 21st day of July A.D. 1857 and according to the terms of the contract and agreement above set forth & there was due by your petitioner from said Brewster on said 21st July for said grates and stoves the sum of Eighty seven Dollars that your petitioner has requested said Brewster to pay the same but payment thereof was refused and said sum of Eighty seven Dollars is still due and owing from said Brewster to your petitioner

Your petitioner would further show that said Brewster used said grates in the making of the fire places of the Parlors of said Hotel and the same are now part and parcel of said building said grates were purchased with the understanding between your petitioner and Brewster that said grates were to be used in the erection of said building And your petitioner further shows that said Brewster continued to be the owner of said land and building until the 4th day of November 1857 when he sold and assigned the same to John C. Clark & Daniel S. Brewster as assignees for the benefit of his creditors and on the same day said John K. Brewster & Emily L. his wife conveyed the premises above described to said John C. Clark & Daniel S. Brewster by Quit claim Deed

And your petitioner further shows that there appears of record in the Office of the Clerk of the Circuit Court of said Stephenson County a decree of Foreclosure entered by said John K. Brewster & Emily L. his wife to Joseph B. Smith as Trustee dated March 22d 1856 & conveying Lots Three & Four & Nine in Block Fifty One in said original town of Freeport

320 and so portion of the land on which said deed is executed
bounded on the North Easterly half of said Lots Nine & Six on said
Block Fifty six said North Easterly half fronting Thirty
feet & two inches on Stephenson St in said Freeport and the
South Westerly boundary thereof being a line running
through the centre of said Lots Nos Nine & Six parallel with
Mechanic's Street in said City. Said deed of trust purports
to have been given & executed to James Butchell & Co the payment
of a certain promissory note for the sum of Nine thousand
Dollars payable to said James Butchell & Co on Eighteen months
after the date thereof said note bearing date March 22 1856
& signed by said John K Brewster. The members at that time
composing the firm of James Butchell & Co were James Butchell
Nelson Putnam & Alexander Neely. You petitioner further
shows that there appears of record in said Office a deed of
Trust executed by said John K Brewster & Emily L Brewster
dated July 5 1856 & to Homer N Hibbard as Trustee said deed
conveys in trust said Lots Nos Nine & Six on Block Fifty
six to secure the payment of three promissory notes of
Nine thousand Dollars Each all dated June 22 1856 and
drawing interest at ten per cent per annum payable
semi annually one of said Notes on the interest from
August 1 1856 payable August 1st 1860. One of said Notes
to draw interest from September 1st 1856 & payable Sept 1st
1861 The third note drawing interest from Octr 1st 1856
& payable Octr 1 1862 all payable to the order of John
A Clark aforesaid and signed by said John K Brewster
as principal and divers others as sureties

Your petitioner prays that said John K Brewster Joseph B Smith James Mitchell Holden Putnam Alexander Reely Homer D Hubbard John C Clarke & Daniel S Brewster may be made defendants to this your petitioners suit and that summons issue out of this Honorable Court directing them to appear and answer this petition at the next sitting of this Court and that your petitioner may have a full and perfect lien on the lots and parcels of land first above described upon which has been erected said Hotel Building, and also upon said Hotel Building and the appurtenances & the amount of your petitioners claim as above set forth & and that your petitioner may have a special Execution for the sale of said Building and the land first above described and that your petitioner may have such other and further relief as this Court by virtue of the powers therein conferred by the Sixty fifth Chapter of the Revised Statutes Entitled Liens may grant and as may be agreeable to Equity and good Conscience and your petitioner will ever pray

George W Prichett by
Turner Burchard & Baldwin his Attys

Filed November 18 1857 / L W Sweetzer Clk
By Wm H Barry Deb

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George M. Pickell
vs
John K. Brewster Etal

Petition for Wrecks Liens

By the agreement of ~~Parties~~ Messrs Farnum Barclay & Barclay Esquires of Counsel for the petitioner and Jacob Brandt Esquire of Counsel for Joseph B Smith & Homer N Hibbard Holden Putnam James Butchell John M Shaffer & Louis L Burrell Defendants in this cause and Thomas J Turner Esq of Counsel for Thompson Alexander and others made parties Defendants on their petition to this Court in this cause which said agreement was made and entered into in open Court prior to the read of the pines made by the said parties It is Ordered by the Court that the several answers of the said Defendants filed in the cause herein by Thomas is Complainant and John K Brewster Joseph B Smith & Homer N Hibbard James Butchell Holden Putnam Alexander Reely John M Clark & Daniel L Brewster are Defendants be and the same is taken for an answer in this cause and that the replications filed by the said Thomas on the said cause herein be the said Thomas is Complainant as aforesaid be taken and accepted as are pleadings in this cause

Entered January 18. 1858

George M. Pickell
vs
John K. Brewster Etal

Petition for Wrecks Liens

On Motion of the said petitioner by his Attorney It is Ordered by the Court that he have leave to amend his petition so as to make parties to this suit John Homer George O Honey Samuel M Cayen & John B Hutchinson

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Charles H Dallam & Jacob Shenkel & also any other parties who may be deemed as parties in interest in this suit And if they are non residents it is further Ordered that publications of Notice be made to said Defendants in a public newspaper as in Ordinary cases in Chancery

Entered January 18, 1858.

George K Pickell
Pet
John K Brewster Def

Sept Session Co Cir Court
April Term A.D. 1858

Amendments to the petition in this cause made pursuant to the Order of said Court at the December Term A.D. 1854 after the word "enacting" on the twenty seventh line from the bottom of the fourth page of the original petition filed in this cause read as follows to wit And your petitioner further shows unto your Honor that there appears of record in this Court two Judgments one of which said Judgments was rendered at the September Term of this Court on the twenty fifth day of September A.D. 1854 in favor of Jabez C Howe, George A Kinney, Samuel K. Payson, John B Kuschuens Charles K Dallon and Jacob Pennell Jr against the said John K Brewster John D Shaffer and Lewis H Burrell for twenty seven hundred and two dollars and thirteen cents damages and the other of said Judgments was rendered in favor of the plaintiff above named Plaintiff against said John K Brewster at said September Term on the fifteenth day of September A.D. 1854 for the sum of Six hundred and seventeen dollars and Eighty Eight cents And your petitioner shows that said Judgments were rendered after the lien of your petitioners had attached to the land and building thereon erected as in said original petition described Your petitioners further show that said Judgments have been nearly paid and satisfied and your petitioner prays that the said above named Plaintiff & John to said

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Judgments above named may be made defendants hereto and your petitioner further prays that your Honor will decree and order that your petitioners lien shall attach to the said land and the Brewster House erected thereon as a prior lien and in preference to the lien of the said Plaintiffs in said Judgments above recited and that your petitioners claims and demands as set forth in your petitioners original petition in this cause shall be entirely paid and satisfied by sale of the said land and Brewster House or otherwise as to your Honor shall seem Equitable and just before the said Plaintiffs in the said Judgments above named shall have any of the proceeds of any sale or other disposition of said land and Brewster House

Turner Rowland & Barton

Pltffs attys

Filed Feb 1st 1858 L W Guiteau Clk

George M Pickell

vs

John K Brewer and

Petition for Mech'l Lien

and the said Defendants James Mitchell & John M Shaffer and Louis B Burrell Executor Harding Abraham Queen Thompson Dickerson and others

securities on the Bonds from John K Brewer to John M Clark

Except to all and every of the findings Orders and Decrees

found ~~and~~ made and decreed by the Court in the above entitled

cause and pray that this their Exception be signed and

sealed by the Court in due time

Benj R Shelton Seal

Filed Jan 24 1859

H Winterode

L P Gunning Clk

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State of Illinois
Stephenson County ss } In the Circuit Court of Stephenson
County of the December Term A.D. 1857

To the Honorable Benjamin R. Sheldon presiding
Judge of the Seventh Judicial Circuit in the State of Illinois

The petition of John Halfinger of the County and
State aforesaid respectfully represents unto your Honor
That one John M. Brewster of the County and State aforesaid
on the Tenth day of July A.D. 1856 was the owner in fee simple
of the following described lots pieces and parcels of land
situate in the City of Freeport County and State aforesaid
to wit Lots Numbered Five (5) and Six (6) in Block Numbered
Fifty six (56) in the Town of Freeport. Also a part of Lot
Number Seven (7) in said Block Commencing at the
Northwesterly corner of said Lot Numbered Six (6) and
running thence Southwardly on the division line between
said Lots Six (6) and Seven (7) in said Block Fifty six (56)
Thirty five (35) feet ~~thence~~ thence Westwardly on a
parallel line with Burge Street in said City Twenty (20)
feet thence Southwardly on a parallel line with Mechanic
Street Thirty five (35) feet to said Burge Street thence East-
-wardly along said Burge Street to the place of beginning. And
that the said John M. Brewster on the day and year aforesaid
was building and erecting and Engaged in the Construction of
a certain Hotel Building on the Lots and pieces or parcels of
ground as herein before described which said building is now
known and called the Brewster House
And your petitioner further shows unto your Honor that

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sometime previous to the day and year aforesaid the said John K Brewster appointed and employed one Henry H Babb as his said Superintendent and Agent in and about the Erection and construction of the said building, and that on the day and year aforesaid the said Henry H Babb then was the Superintendent and Agent of the said John K Brewster in and about the Erection and construction of said building as aforesaid. And your petitioner further shows unto your Honor that on the day and year aforesaid your petitioner made and entered into a contract with the said John K Brewster by and through his said Agent by which said contract your petitioner undertook and agreed to furnish his labor and work as a Carpenter and Joiner in and about the Erection and construction of said Hotel building from and until the fall of A.D. 1854 or until the Carpenter and Joiner work in and about said building should be completed in case the same should be completed before said fall. and in consideration thereof the said John K Brewster by and through his said Agent undertook and agreed to pay to your petitioner the sum of One dollar and fifty cents per day for each and every day your said petitioner should & did spend by his said work and labor in and about said building from the day and year aforesaid until the first day of December A.D. 1853 and the sum of One dollar thirty seven and one half cents per day for each and every day which your said petitioner should & did spend by his said work and labor in and about said building from the day and year last aforesaid until the first day of April A.D. 1854 and the sum of One dollar and

Seventy five cents per day for each and every day which your said petitioner should be employed by him to work and labor in and about said building from the day and year last aforesaid until the fall of said A.D. 1857 And by the terms of said Contract the said contractor the said John K. Renter covenanted and agreed to pay your petitioner at the rates aforesaid such sums of money as might be due and payable for said work and labor at the End of each and every week

And your petitioner further shoreth unto your Honor that on the Sixth day of July A.D. 1856 and from that day forward until the Eighteenth day of June A.D. 1857 your petitioner under and in pursuance of the terms of said contract did Expend and perform a large amount of work and labor in and upon the carpenter and joiner work of said building and that during that time he did Expend in and about the performance of said work a great amount of time amounting altogether to the number of two hundred and twenty three and one quarter days that is to say. In the month of July A.D. 1856 your petitioner Expended four and one half days. In the month of August Six days. In the month of September twenty three days In the month of October twenty seven days. In the month of November twenty four days In the month of December twenty and one half days. In the month of January A.D. 1857 twenty two days In the month of February twenty three days In the month of March Eighteen and one half days. In the month of April Sixteen and three quarter days In the month of May twenty one days and in the month of June Seventeen days

And your petitioner further showeth unto your Honor that on or about the Eighteenth day of June A.D. 1859 the said Henry M. Dibble Superintendent and Agent as aforesaid of the said John M. Brewster discharged your petitioner from the performance of any other or further work and labor in and about said building and under the contract aforesaid

And your petitioner further showeth unto your Honor that the work and labor of your petitioner rendered and performed in aid about the erection and construction of the said building under and in pursuance of said Contract as aforesaid amounted to the sum of Three Hundred & Forty six Dollars and Ninety three cents and that the said John M. Brewster at different times during the period in which your petitioner was Engaged in the performance of the said work as aforesaid paid to your petitioner divers sums of money and divers goods wares and merchandize on account of your petitioners said work amounting altogether to the sum of Two Hundred and Ninety one Dollars forty cents and that there now still remains due and unpaid by and from the said John M. Brewster a balance of Forty five 50/100 Dollars for and on account of the said work and labor of your petitioner and that your petitioner has requested and demanded payment of the same from the said John M. Brewster but that he has hitherto neglected and still doth neglect to pay to your petitioner the said sum of Forty five Dollars and fifty three cents alleging that he is utterly unable to pay the same. And your petitioner further showeth unto your Honor that the said sum of Forty five Dollars and

fifty three cents is now due and payable to your petitioner for his said work and labor rendered and performed in and about the Erection and Construction of said Building and undertaken in pursuance of the terms of said Contract and that the said sum of money is now due and payable and that the same remains unpaid. And your petitioner further showeth unto your Honor that the Hotel Building or Premises is situated Erected and built upon the lots or pieces or parcels of ground hereinbefore described and set forth and that the work and labor of your petitioner as aforesaid was furnished in and towards the building and Erection of said Hotel Building and Premises by and under a Contract as hereinbefore stated entered into with the said John K Brewster he then being the owner thereof as aforesaid And your petitioner further showeth unto your Honor that upon Examination of the records in the Office of the Clerk of the Circuit Court in and for said County of Stephenson your petitioner finds that it reports to be the record of a Deed of Trust made and executed by the said John K Brewster and Emily L Brewster his wife to Joseph P Smith Trustee which said Deed bears date the twenty second day of March A.D. 1856 and is recorded in Book No 1 of Mortgages page 29 by which said Deed Conveys to the said Joseph P Smith the following described real Estate to wit all those parts of Lots Five and Six in Block Six in Six in the Town of Freeport aforesaid which lie Eastwardly of a line drawn through the center of said Lots Five and Six parallel with Mechanic Street aforesaid Town also

Lots Three, Four and Five in Block Fifty One on said Town which said Deed of Trust was made and Executed to secure the payment of certain promissory Notes signed by said John K Brewster bearing date the Twenty second day of March AD 1886 which said Note was made payable to James Dutchell & Co Eight months after the date thereof said Note being for the sum of Five Thousand Dollars with interest at Ten per cent per annum. Your petitioner is informed and believes that the firm of James Dutchell & Co to whom said Note was given was at the time said Note was Executed composed of James Dutchell Walden Putnam and Alexander Keely. Your petitioner further showeth unto your Honor that there also appears upon the records in the Office of the Clerk of the Circuit Court in and for said County what purports to be the record of said Deed of Trust made and Executed by the said John K Brewster and Emily L Brewster his Wife to Homer S Kibbird Trustee which said deed bears date the Fifth day of July AD 1886 and is recorded in Book K of Mortgages Page 114 by which said Deed the said John K Brewster and Emily L Brewster his Wife conveyed the said Homer S Kibbird the following described Real Estate situated in said County of Stephenson to wit Lots Five and Six in Block Fifty six in the Town of Freeport said Deed of Trust was made and Executed to secure the payment of three certain promissory Notes for the sum of Five Thousand Dollars Each all of which Notes bears date the Twenty third day of June AD 1886 and

are payable to the order of John A Clark & The first of said Notes is payable on the first day of August A.D. 1860 with interest from the first day of August A.D. 1856 The second of said Notes is payable on the first day of September A.D. 1861 with interest from the first day of September A.D. 1856 The third of said Notes is payable on the first day of October A.D. 1862 with interest from the first day of October A.D. 1856 The interest on all of said Notes being at the rate of ten per cent per annum payable semi-annually with current rates of Exchange on New York & Your petitioner further shows unto your Honor that the three promissory Notes last above mentioned to secure the payment of which said Trust Deed was made and executed by Homer D. Hebbard as above set forth were each all signed by the following named persons as joint makers to wit John K Brewster. Chancellor Bratton. James Butchell Henry Strohm Henry K Pennuman John Black. John O Taylor Jared Sheetz Thomson Alexson John Coates. Hiram Bright John Koebel Lebbeus D. Clayton Francis Foley. Obadiah W Reed Abraham S Green Thomas Eastman John R Purdy Williams M Buckley. John S Emmert Holden Putnam Silas D Clark John Wade. Lessee B Smyser. Tobias Engle Alexander Hunt Charles Rosenstiel Hollis Jewell Terence McAllister James B Childs George Purnton Thomas J Turner Matthias Hettinger Oscar Taylor. Ebenezer Hyde Jacob Reigard Francis H Brantley. and Aurelius Rutbacker. Your petitioner further shows unto

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which said deed of trust was made and executed to secure

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your Honor that on the fourth day of November A.D. 1857 the said John M. Brewster conveyed by a certain deed of assignment & John C. Clark and Daniel S. Brewster the pieces and parcel of land with the appurtenances thereunto belonging first above described on which has been erected and built the Brewster Houses as hereinbefore set forth by which said last named deed of assignment the said John M. Brewster conveyed to said John A. Clark and Daniel S. Brewster said real Estate in trust for certain purposes mentioned in said deed of assignment and on the day last aforesaid said John M. Brewster and Emily L. Brewster his wife made and executed to said John C. Clark and Daniel S. Brewster a deed of conveyance commonly called a quit claim deed by which said last mentioned deed of conveyance the said John M. Brewster and Emily L. Brewster his wife quit claimed all the right title and interest of them the said John M. Brewster and Emily L. Brewster his wife to the said John C. Clark and Daniel S. Brewster their heirs and assigns of and to all the lots and parcel of land first herein above described on which the said Brewster Houses is built. Your petitioner prays that the said John M. Brewster Joseph B. Smith James Butchell. Hosea Putnam Alexander Keely. Homer N. Hebbard John C. Clark and Daniel S. Brewster may be made parties Defendants to this your petitioners suit and that your petitioner may have a full entire and perfect lien upon the lots and parcel of land first above described on which has been erected and built the Brewster Houses as herein before

set forth and also such as said Brewster Howes and the abbur-
tenances thereunto belonging & the legal rates and
satisfaction of your petitioners aforesaid claim and
demand for the work labor and services of said petitioner
in and about the erection building and construction of said
Brewster House as hereinbefore set forth and that your
petitioner may have a special Execution awarded for the
sale of the building and premises aforesaid described
and that your petitioner may have such other and
further relief as the nature of his case shall require
and shall be agreeable to Equity. May it please your
Honor to grant unto your petitioner a writ of summons
issuing out of and under the seal of this honorable Court
directed to the said John M Brewster, Joseph B Smith
James Mitchell Nelson Putnam & Homer D Hubbard
John A Clark and Daniel S Brewster of said County of
Stephenson and Alexander Neely of the County of Bond
in the State of Illinois Commanding them and each of them
by a certain day and under a certain penalty to be therein
inserted to be and appear before your honor and there and
there to answer the premises and to stand to and abide by
such order and decree herein as to your Honor shall seem
meet

John Hoffinger by
J. Pugh Smith his Atty

Filed November 19 1857 L H Leuteau Clk
By Wm K Parry Dep Clk

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John Wolfinger
vs
John K Brewster Etal

Petition for Mechs Lien

By the agreement of ~~Parties~~ J Bright Smith Esquire of Counsel for the said petitioner and Jason Marsh Esquire of Counsel for Joseph B Smith & Homer N Hubbard Holden Putnam James Birkell John W Shaffer & Louis G Burrell Defendants in this cause and Thomas J Turner Esquire of Counsel for Thomas Nelson and others named parties Defendants on their petition & this Court in this cause which said agreement was made and entered into in open Court prior to the trial of the issues made by the said parties It is Ordered by the Court that the several answers of the said Defendants filed in the cause wherein Lay Thomas is Complainant and John K Brewster Joseph B Smith & Homer N Hubbard James Birkell & Holden Putnam Alexander Beely John A Blair & Daniel L Brewster are Defendants be and the same is taken for an answer in this cause And that the replication filed by the said Lay Thomas in the said cause wherein he the said Lay Thomas is Complainant as aforesaid be taken and accepted as a replication in this cause

Entered January 18 1858.

John Wolfinger
vs
John K Brewster Etal

Petition for Mechs Lien

On Motion of the said petitioner by his Attorney It is Ordered by the Court that he have leave to amend his petition so as to make parties to this suit Isaac C Homer George A Honey, Samuel K Payson & John B Hutchinson

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Charles N. Dallin & Jacob Thurell Jr. also any other parties who may be discovered as parties in interest on this enquiry as they are necessary. It is further Ordered that publication of Notice be made to said Defendants in a public newspaper as in ordinary cases in Chancery

Entered January 18 1858

John Waffinger
vs
John K Brewster & al

In the Circuit Court of Stephenson County in the State of Illinois
of the April Term 1858

Amendments to the petition in this cause made pursuant to the order of said Court at the December Term of said Court A.D. 1857.

After the word "Smith" on the twenty-third line from the top of the fourth page in the original petition read as follows to-wit "and your petitioner further showeth unto your Honor that there appears among the records of this Court in the Office of the Clerk of this Court a record of two Judgments one of which said Judgments was rendered at the September Term of this Court on the 25th day of September A.D. 1857 in favor of Jabez C Howe, George Storey Samuel K Payson, John B Hutchinson, Charles H Walton and Jacob Heusel & against the said John K Brewster John H Shaffer and Louis L Burrell for the sum of Twenty seven hundred and two Dollars and Fifteen cents damages and the other of said Judgments was rendered in favor of the last above named Plaintiffs against the said John K Brewster at the said September Term of this Court on the Fifteenth day of September A.D. 1857 for the sum of Two Hundred and Seventeen Dollars and Eighty Eight cents damages And your petitioner further showeth unto your Honor that the said Judgments were rendered as aforesaid long after the lien of your petitioner had attached to the land in your petitioner had attached to the land in your petitioners original petition described. And your petitioner further

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showeth unto your Honor that the said Judgments have been
neither all paid and satisfied And your petitioner prays that
the said above named Plaintiffs in the said Judgments above
named may be made Defendants Thereto And your petitioner
further prays that your Honor will decree and order that your
petitioners lien shall attach to the said land and the Brewery
House Erected thereon as a prior lien and in preference
to the lien of the said Plaintiffs in the said Judgments
And that your petitioners claim and demand as set=
forth in your petitioners original petition in this cause
shall be Entirely paid and satisfied by the sale of the
said Lands & Brewery House and premises as to your Honor
shall seem Equitable & just before the said Plaintiffs
above named shall have any of the proceeds of any
sale or other disposition of said lands and Brewery
House

John Wolfinger

J. Pugh Smith
Solicitor

Filed February 4. 1858 L. W. Guiteau Clk

John Wolfinger
vs
John K Brewster Etal

Petition for Mech'l Lien

and the said Defendants James Mitchell & John M Shaffer and Lewis D Burrell Chancellor Manlius Abraham Greene Thompson Alexander and other Executors on the Notes from John K Brewster & John M Clark & Execk to all and every of the findings Orders and Decree found made and decreed by the Court in the above entitled cause and pray that this their Execution be signed and sealed by the Court and this done

Benj R Shelome (Seal)

Dated Jan 24 1859

L M Lucas Clk

State of Illinois
Stephenson County } In the Circuit Court of Stephenson
County of the December Term A.D. 1864

To the Honorable Benjamin R Sheldon presiding Judge of the Fourteenth Judicial Circuit in the State of Illinois.

The petition of Simon Ansley of the County and State aforesaid respectfully represents unto your Honor That one John K Brewster of the County and State aforesaid on the fifth day of September A.D. 1864 was the owner in fee simple of the following described lots pieces and parcels of land situate in the City of Freeport County & State aforesaid to wit Lots Numbered Five (5) and Six (6) one Block Numbered Fifty six (56) in the Town of Freeport Also a part of Lot Number Seven (7) in said Block Commencing at the North Westerly corner of said Lot Numbered Six (6) and running thence Southwardly on the division line between said lots Six (6) and Seven (7) in said Block Fifty six (56) Thirty five (35) feet thence Westwardly on a parallel line with Rudd's Street in said City Twenty (20) feet thence Northwardly on a parallel line with Mechanic's Street Thirty five (35) feet to said Rudd's Street thence Eastwardly along said Rudd's Street to the place of beginning. And that the said John K Brewster on the day and year aforesaid was building and erecting and engaged in the construction of a certain Hotel building on the lots and pieces or parcels of ground as hereinbefore described which said building is now known and called the Brewster House

And your petitioner further shows unto your Honor that some time previous to the day and year aforesaid the said John K Brewster appointed and employed one Henry H Ziph as

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his said Superintendent and Agent in and about the Erecting and construction of the said building. And that on the day and year aforesaid the said Henry K Ashby then was the Superintendent and agent of the said John K Brewster in and about the Erection and construction of said buildings as aforesaid. And your petitioner further sheweth unto your Honor that on the day and year aforesaid Your petitioner made and entered into a contract with the said John K Brewster by and through his said agent by which said Contract your petitioner undertook and agreed to furnish his labor and work as a Carpenter and joiner in and about the Erection and construction of said Hotel building for and until the fall of said 1857 untill the Carpenter and joiner work in and about said building should be completed in case the same should be completed before said fall. and in consideration thereof the said John K Brewster by and through his said agent undertook and agreed to pay to your petitioner the sum of One dollar and Seventy five cents for each and Every day which your said petitioner should & spend by his said work and labor in and about said building as aforesaid Except during the winter season or from the the first day of December 1856 to the fifth day of April a.d 1857 during which last mentioned period your petitioner by the terms of said contract was to have and receive the sum of One dollar and fifty cents per day for every day so Expended by him as aforesaid And by the terms of said contract the said John K Brewster undertook and agreed to pay your petitioner at the rates aforesaid such sums of money as might be due and payable for said work and

labor at the end of each and every week
And your petitioner further shows that on the Eighth day
of September A.D. 1856 and from that day forward until
the fifteenth day of September A.D. 1857 your petitioner
undertook and in pursuance of the terms of said Contract did
expend and perform a large amount of work labor in and
upon and about the Carpenter and joiner work of said building
and that during that time he did expend in and about the
performance of said work a great amount of time amounting
altogether to the number of three hundred and one half days
that is to say In the month of September A.D. 1856 your
petitioner Expended Fourteen and one half days. In the
month of October 56 Twenty six and one quarter days. In
November 56 Twenty two and one half days. In December 56
Twenty two and three quarter days. In January 57 Twenty three days
In February 57 Twenty four days. In March 57 Twenty five and
one half days In April 57 Twenty three and one half days. In
May 57 Twenty six days. In June 57 Twenty four and one
quarter days In July 57 Twenty five & three quarter days In
August 57 Twenty three days and in Sept 57 thirteen and one
half days. And your petitioner further shows unto your
Honor that upon the said fifteenth day of September A.D.
1857 the said Carpenter work and joiner work in upon said
building being then upon completed and finished the said Henry
H. Eldridge agent of the said John C. Brewster notified your petitioner
thereof and released and discharged your petitioner from the
performance of any other or further work in and upon said
building and under the contract as aforesaid

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And your petitioner further shows unto your Honor that the work and labor of your petitioner rendered and performed in and about the Erection and ornamenting of the said building under and in pursuance of said contract as aforesaid amounted to the sum of Five Hundred and One Dollars and Fourteen cents. And that the said John K Brewster at different times during the period in which your petitioner was Engaged in the performance of the said work as aforesaid paid to your petitioner divers sums of money and divers goods wares and merchandize on account of your petitioner said work amounting altogether to the sum of Four Hundred & Seventy nine & 38/100 Dollars ($479.38) and that there now still remains due and unpaid by and from the said John K Brewster a balance of Seventy two Dollars & forty four cents for and on account of the said work and labor of your petitioner. And that your petitioner has requested and demanded payment of the same from the said John K Brewster but that he has heretofore neglected and still doth neglect & pay to your petitioner the said sum of Seventy two Dollars & forty four cents alledging that he is utterly unable to pay the same And your petitioner further sheweth unto your Honor that the said sum of Seventy two Dollars & forty four cents is now due and payable to your petitioner for his said work and labor rendered and performed in and about the Erection and ornamenting of said building and under and in pursuance of the terms of said Contract and that the said sum of money is now due and payable and that the same remains unpaid And your petitioner further shows unto your Honor that the Hotel building

of Brewster House is situated erected and built upon the lots or pieces or parcels of ground herein before described and set forth and that the work and labor of your petitioner as aforesaid was furnished in aid towards the building and erection of said Hotel building and Brewster House by and under a contract as herein before stated entered into with the said John K Brewster he being the owner thereof as aforesaid And your petitioner further shoreth unto your Honor that upon examination of the records in the Office of the Clerk of the Circuit Court in and for said County of Stephenson your petitioner finds what purports to be the record of a Deed of Trust made and executed by the said John K Brewster and Emily L Brewster his wife to Joseph B Smith Trustee which said Deed bears date the Twenty second day of March AD 1856 and is Recorded in Book 1 of Mortgages page 21 which said Deed conveys to the said Joseph B Smith the following described real Estate to wit all those parts of Lots Three and Six in Block Fifty six in the Town of Freeport aforesaid which lie Eastwardly of a line drawn through the centre of said lots Three and Six parallel with Brechans Street in said Town also lots Three Four and Five in Block Fifty one in said Town which said Deed of Trust was made and executed to secure the payment of a certain promissory Note signed by said John K Brewster bearing date the Twenty second day of March AD 1856 which said Note was made payable to James Parkhill Esq eight months after the date thereof said Note being for the sum of Five Hundred Dollars with interest at Ten per cent per annum your petitioner is informed and believes that the firm of James

Mitchell & Co to whom said Note was given was at the time said Note was Executed composed of James Mitchell Holden Putnam and Alexander Neely. Your petitioner further sheweth unto your Honor that there also appears upon the records in the Office of the Clerk of the Circuit Court in and for said County what purports to be the record of a Deed of Trust made and Executed by the said John K Brewster and Emily L Brewster his wife to Homer D Hubbard Trustee which said record bears date the 12th day of July A.D. 1856 and is recorded in Book O of Mortgages page 114 by which said deed the said John K Brewster and Emily L Brewster his wife convey to the said Homer D Hubbard the following described real Estate situated in said County of Stephenson to wit Lot Number Five and Six on Block Eighty one in the Town of Freeport said Deed of Trust was made and Executed to secure the payment of three certain promissory Notes for the sum of Five Thousand Dollars Each all of which notes bear date the Twenty third day of June A.D. 1856 and are payable to the order of John A Clark. The first of said Notes is payable on the first day of August A.D. 1860 with interest from the first day of August A.D. 1856. The second of said Notes is payable on the first day of September A.D. 1861 with interest from the first day of September A.D. 1856 The third of said Notes is payable on the first day of October A.D. 1862 with interest from the first day of October A.D. 1856. The interest on all of said Notes being at the rate of Ten per cent per annum payable semi annually on the current rates of Exchange

in New York & your petitioner further showeth unto your Honor that the three promissory Notes last above mentioned & secured the payment of which said Trust deed was made and executed to Homer D. Hebbard as above set forth were each and all signed by the following named persons as joint makers to wit John K Brewster, Charles Allen Bradner James Burtchell Henry Groting Henry H Pennington John Black. John O Taylor. Jared Sheetz. Thompson Nelson & John Coates. Hiram Burch. John Koebel Gilbert D Clayton Francis Foley. Asahel H Rice Abraham Greene. Thomas Coleman & John P Byerly. Williams D Buckley. John S Emmert. Holden Putnam & Silas D Clark & John Wade Jesse B Snyder. Silas Engle Alexander Hunt Charles Rosenstiel Hollis Jewell. Edward A Köehler James B Child & George Purnton & Thomas J Turner Matthias Hellinger Oscar Taylor Ebenezer H Kyle Jacob Regard Francis M J Bailey and Rudolph Bindacker

Your petitioner further showeth unto your Honor that on the fourth day of November A.D. 1854 the said John K Brewster conveyed by certain Deed of assignment to John H Clark and Daniel S Brewster the pieces and parcel of land with the appurtenances thereunto belonging first above described on which has been erected and built the Brewster House as hereinbefore set forth by which said last named Deed of assignment the said John K Brewster conveyed to said John H Clark and Daniel S Brewster said Real Estate upon certain purposes mentioned in said Deed of assignment & upon the day last aforesaid said

John K Brewster and Emily L Brewster his wife made and Executed to said John A Clark and Daniel S Brewster a Deed of conveyance commonly called a quit claim Deed by which said last mentioned Deed of conveyance the said John K Brewster and Emily L Brewster his wife quit claimed all the right title and interest of them the said John K Brewster and Emily his wife to the said John A Clark and Daniel S Brewster their heirs and assigns of and to all the lots and parcels of land first hereinabove described on which the said Brewster House is built

Your petitioner prays that the said John K Brewster Joseph B Smith, James Bucknell Nelson Putnam, Alexander Neely Homer A Hebard John A Clark and Daniel S Brewster may be made parties Defendants to this your petitioners suit and that your petitioner may have a full Entire and perfect lien upon the lots and parcel of land first above described upon which has been erected and built the Brewster House as hereinbefore set forth and also upon said Brewster House and the appurtenances thereunto belonging & the liquidation and satisfaction of your petitioners aforesaid claim and demand for the work labor and services of said petitioner and about the erection building and construction of the said Brewster House as hereinbefore set forth and that your petitioner may have a special Execution issued for the sale of the building and premises first above described and that your petitioner may have such other and further relief as the nature of his case shall require and to shall be

agreeable to Equity May it please your Honor to grant unto your Petitioner a writ of summons issueing out of and under the seal of this Honorable Court directed to the said John K Brewster Joseph B Smith James Bushnell Holden Putnam Homer D Hubbard John A Clark &, and Daniel S Brewster of said County of Stephenson and Alexander Neeley of the County of Boone in the State of Illinois Commanding them and each of them under a certain penalty to be therein inserted to be and & appear before your Honor and then and there and there to answer the premises and to stand to and abide by such order and decree herein as to your Honor shall seem meet

Simon Stretch by
J Pugh Smith his Atty

Filed November 19 1857 L W Guiteau Clk
By Wm H Barry Dep

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Simins Anstein
vs
John K Brenter Etal

Petition for Deed & Lien

By the agreement of ~~Brenter &~~ D. Bright Smith ~~Bruce~~ Esqure of Counsel for the said petitioner and Isom Nash Esqure of Counsel for Joseph B Smith & Homer A Hubbard & Holden Putnam James Butchell John W Shaffer & Lewis G Burrell Defendants in this cause and Thomas J Turner Esqure of Counsel for Thompson Dale exr and others make parties Defendants on their petition & this Court then this cause which said agreement was made and entered into on open Court prior to the trial of the issues made by the said parties it is Ordered by the Court that the several answers of the said Defendants filed in the cause wherein Day Thomas is complainant and John K Brenter Joseph B Smith & Homer A Hubbard James Butchell Holden Putnam Alexander Neely John M Clark & Daniel S Brenter are Defendants be and the same is taken for an answer in this cause and that the replication filed by the said Day Thomas in the said cause wherein he the said Day Thomas is complainant as aforesaid be taken and accepted as a replication in this cause

Entered January 18. 1858

Simins Anstein
vs
John K Brenter Etal

Petition for Deeds Lien

On motion of the said petitioner by his attorney It is Ordered by the Court that he have leave to amend his petition so as to make parties to this suit Baker & Homer George A Kinney Samuel K Payne & John R Hutchinson

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Charles H. Dallin & Jacob Kendall & also any other parties
who may be discovered as parties in interest in this suit
and after they are so discovered, It is further Ordered that publ-
-ication of Notice be made to said Defendants in a public
newspaper as in ordinary Cases in Chancery

Entered January 18, 1858.

Simon Shelton
vs
John K Brewster

In the Circuit Court of Jefferson County in the State of Illinois of the April Term AD 1858

Amendments to the pleadings in this cause made pursuant to the Order of the said Court at the December Term of said Court AD 1857.

After the word "built" in the third line from the top of the Eleventh page in the Original Petition read as follows to wit. And your petitioner further shows unto your Honor that there appears among the records of this Court in the office of the Clerk of this Court a record of two Judgments one of which said Judgments was rendered at the September Term of said Court on the 25th day of September AD 1857 in favor of Isbey C Horne. George O Kinney. Samuel K Payson. John B Hutchinson Charles K Dalton and Jacob Kendall against the said John K Brewster John W Shaffer and Louis H Burrill for the sum of Twenty seven hundred and two Dollars and thirteen cents damages. And the other of said Judgments of the last above named Plaintiffs against the said John K Brewster at the said September Term of this Court of the Fifteenth day of September AD 1857 for the sum of Five Hundred and Seventeen Dollars and Eighty Eight cents damages And your petitioner further shows unto your Honor that the said Judgments were rendered as aforesaid long after the liens of your petitioners attached to the lands in your petitioners original petition described. And your petitioner further shows unto your Honor that the said Judgments have been already all paid and satisfied And your petitioner further

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prays
that the said above named Judgments may be made defendants
hereto and your petitioner further prays that your Honor will
decree and order that your petitioners lien shall attach
to the said lands and the Brewster House Erected thereon
as a prior lien and in preference of the lien of the said
Plaintiffs in the said Judgments above recovered and
that your Petitioners claim and demands as set forth in
your petitioners original petition in this cause shall be
entirely paid and satisfied by the sale of the said land
and Brewster House or otherwise as to your Honor shall
seem Equitable and just before the said Plaintiffs
or the said Judgments above named shall any of the
proceeds of any sale or other disposition of said land &
Brewster House

Senior Analaine

J Pugh Smith
Solicitor

Filed Feb 4, 1858
L W Guitard Clk

Simm Ansteing
vs
John K Bremer Et al

Petition for mech Lien

And the said Defendants James Mitchell & Co John M Shaffer and Louis H Burrell Chancellor Waiting Abraham Breen Thompson Wilcoxon and others

securities on the Notes from John K Bremer to John M Clark

Except to all and every of the findings Orders and Decree found made and decreed by the Court in the above entitled cause and pray that this their Exceptions be signed and sealed by the Court and this done

Benj A Shelton Seal

Filed & Entered
Filed Jan 24 1859
L W Guiteau Clk