

No. 13487

Supreme Court of Illinois

Reed.

vs.

Tweedy.

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State of Illinois } ss.
Warren County }

Pleas before The Honorable
John S Thompson Judge of the Tenth
Judicial Circuit of the State of Illinois
at a Circuit Court begun and held at
the Court House in Monmouth in the said
County of Warren and State of Illinois on the
third Monday in the Month of March in
the year of our Lord One Thousand Eight-
Hundred and sixty, it being the 19th day
of said month and year.

Present

Hon John S Thompson Judge
James H Stewart State Attorney
Seth Smith Sheriff
Wm Laferty Clerk,

Hamilton Greedy for the
use of James G Madden

vs

Thomas Reed

}
} Bill to foreclose

Be it Remembered that heretofore to wit,
on the 9th day of April A.D 1865 being
at the regular March Term of the Warren
County Circuit Court the following decree
was entered of Record in the foregoing
case which is in the words and figures
following to wit,

State of Illinois } ss.

Warren County } March Term A.D. 1860
of the Warren Circuit Court

H. Freedy for the use of }
James G. Madden }

^{vs}
Thomas Reed } And now at this
day this cause

again coming on
to be heard on the Bill of Complainant
and the answer of Defendant, and the
testimony as reported by the Master in
Chancery, and it appearing to the Court
that on the 9th day of August 1856 the
said Defendant Thomas Reed was indebted
to the said Complainant H. Freedy in the
sum of about Ninety Hundred Dollars as
part of the Purchase money on a certain
tract of land to wit, The South East Quarter
of Section Twenty six in Township Nine
North of Range Three West of the 4th Principal
meridian in the County of Warren and State
of Illinois which said Defendant purchased
of the said Complainant, and it further
appearing to the Court, that the said
Defendant on the said 9th day of August
1856 made executed and delivered to the
said Complainant three promissory notes
as follows to wit. One for five Hundred

State of Illinois } ss.

Warren County } March Term A.D. 1860
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^{vs}
Thomas Reed } And now at this
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Chancery, and it appearing to the Court
that on the 9th day of August 1856 the
said Defendant Thomas Reed was indebted
to the said Complainant H. Freedy in the
sum of about Ninety Hundred Dollars as
part of the Purchase money on a certain
tract of land to wit, The South East Quarter
of Section Twenty six in Township Nine
North of Range Three West of the 4th Principal
meridian in the County of Warren and State
of Illinois which said Defendant purchased
of the said Complainant, and it further
appearing to the Court, that the said
Defendant on the said 9th day of August
1856 made executed and delivered to the
said Complainant three promissory notes
as follows to wit. One for five Hundred

Dollars, which was paid before the Commencement of this suit. One note for Seven Hundred Dollars dated August 9th 1856 & due January 1st 1858, and the third note for the sum of Seven Hundred Dollars dated August 9th 1856 and due on or before the first day of January 1859, with a condition in the two last mentioned notes that they were not to be paid until the said Brady perfect his title to the said quarter section of land, and it further appearing to the Court, that at the same time to wit August 9th 1856, the said Defendant Reed made executed and delivered to the said Brady a Mortgage on the said tract of land to secure the payment of the said promissory notes with the same condition in the said Mortgage. That the two last mentioned notes are not to be collected until the said parties of the second part shall perfect his title to the premises above described and which he has this day deeded to said Thomas Reed" and it further appearing to the Court that the said Brady had perfected his title to the said tract of land in accordance with the agreement of the parties made at the time the said notes and Mortgage were executed and delivered.

by the said Reed to said Irredeemable, and that
there is now due from the said Defendants
to the said Complainants on the said
Note and Mortgage the sum of Eight
Hundred & seventy Nine & 62/100 Dollars
And the testimony having been read &
examined, and the arguments of Counsel
heard, and the Court being fully satisfied
in the premises, It is ordered and decreed
by the Court that the said Defendant
Thomas Reed within Twenty days from the
adjournment of this Term of this Court
pay to the said James G. Madden for
whose use this suit is brought the said
sum of Eight Hundred & seventy Nine & 62/100
Dollars being the amount so found to be
due by the Master in Chancery on the Notes
and Mortgage described in the Bill of
Complainant, and that in default of the
said Defendant paying the said sum of
money at the time aforesaid, and the interest
which may then be due on the same,
that then the Master in Chancery of Marion
County proceed to sell at Public Auction
at the door of the Court House in the City
of Mount Vernon on a day to be fixed by him
between the hours of 9 o'clock A.M. & 4 o'clock
of said day so fixed by him after having

advertised the time and place of the said
 sale as Sheriff are required by law to do
 on official sales made by them of Real
 Estate on Execution the following described
 tract of Land, situated in the County of
 Macon and State of Illinois being the same
 described in the said Bill of Complaint
 and the Mortgage therein mentioned to wit,
 The South East quarter of Section Twenty six
 in Township Nine North of Range Three
 West of the 4th Principal meridian for cash
 to the highest and best bidder at public
 auction, and that he give to the Purchaser
 or Purchasers of the said tract of Land
 a Certificate of Purchase for the said tract
 as sold as Sheriffs are required by law
 to do on sales of Real Estate on Execution
 and that he pay the said sum of money
 mentioned in this decree, and the Interest
 which may be found due on the same
 and then after paying his own Costs
 and Charges and the Costs and Charges
 of this suit, and that he pay the said
 sum if any to the above named defendant
 and that he report all his actings and
 doings herein to the next Term of this Court
 to which time this cause stands Continued,
 John S Thompson
 (Filed April 9th 1865 Wm. S. Safford, ck)

Thereupon came the Defendant and prays
an appeal to the Supreme Court which
is allowed by the Court upon the said
Defendant entering into Bond in the
sum of Two Thousand Dollars with secur-
ity to be approved by the Clerk by agreement
of Parties. Bond to be filed in thirty days
from this date.

Copy of Bond.

Know all Men by these presents that
we Thomas Reed and Isaac L Pratt of
the County of Warren and State of Illinois are
held and firmly bound unto Hamilton Brady
for the use of James G Madden in the
penal sum of Two Thousand Dollars for the
payment of which, well and truly to be
made we bind ourselves our heirs executors
and administrators jointly severally and
firmly by these presents. Witness our Hands
and seals this Second day of May Anno
Domini One Thousand eight hundred and
sixty.

The Condition of the above obligation
is such that whereas said Hamilton Brady
for the use of James G Madden did on
the Ninth day of April 1860, in the Circuit

Court within and for the County of Marion
and State of Illinois recover a judgment ag-
-ainst the above bounden Thomas Reed for the
sum of Eight Hundred and seventy nine & 62
/100 Dollars and costs of suit from which
Judgment of said Circuit Court the said
Thomas Reed has prayed for and obtained
an appeal to the Supreme Court of said
State, Now if the said Thomas Reed shall
duly prosecute his said appeal with
effect and shall moreover pay the amount
of the Judgment costs interest and dam-
ages rendered and to be rendered against
him in case the said Judgment shall be
affirmed in the said Supreme Court then the
above obligation to be null and void, other-
wise to remain in full force and virtue,
(Witness Wm Lafferty) Thomas ^{his} Reed (Ls)
mark

Isaac L Pratt (Ls)

Approved by me this
2^d day of May A.D. 1869
Wm Lafferty ck)

Filed May 2^d 1869
Wm Lafferty ck)

Witness my Hand & the Seal
of said Court at my Office
in the City of Monmouth
this 22nd Day of April a.d.
1864.
W. Lafayette Clark
By L. O. Smith Clerk Deputy

By L. L. Lunt & Co. Depty

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Worms Reed

ms
Hamilton Hoody

Appeal from Warren

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Filed April 25, 1861

L. Deland
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