

Agreement.  
Whittenberg and Mendes  
and  
W. S. Boland

This agreement made and entered into  
this 28<sup>th</sup> day of April 1873 Between F. R. Whittenberg & Joseph Mendes  
of Eureka Eureka County State of Nevada parties of the first  
part and W. S. Boland of the same place the party of the  
second part.

Witnesseth; that the said parties of the first part  
for and in consideration of the promises & agreements hereinafter  
contained & made by and on the part of the said party of  
the second part agree to sell to said party of the second  
part for the sum of sixteen hundred Dollars United States  
gold coin the following described premises to wit; that  
certain piece or parcel of land or town lot, situate lying  
and being in the W. McBoys survey County & State aforesaid  
and designated upon the map of said survey of the  
Town of Eureka in said County & State as lot No. Six (6)  
in Block No. Six (6) and fronting on the East line of  
main Street in said Town County five (5) feet and  
running back Eastward same width one hundred (100)  
feet to the West line of Bull Street together with all and  
singular the tenements Hereditaments and appurtenances  
thereunto belonging or in anywise appertaining. and  
said party of the second part agree to pay to said  
parties of the first part said sum of sixteen hundred Dollars  
as follows to wit. Six hundred Dollars upon the execution  
of this presents and one thousand Dollars in five equal  
payments of \$200. — as follows to wit;

July 5 <sup>th</sup> 1873	\$ 200. —
August 5 <sup>th</sup> "	\$ 200. —
September 5 <sup>th</sup> "	\$ 200. —
October 5 <sup>th</sup> "	\$ 200. —

November 5<sup>th</sup>

\$200.

Total

\$1000.

And the said parties of the first part hereby agree that upon the full & complete payment of said several sums at the time & in the manner above specified and as specified in five promissory notes herewith executed for the payment thereof that they will upon demand make execute sign seal acknowledge & deliver to said party of the second part a good and sufficient deed of conveyance conveying and assuring to said party of the second part the above described premises free from all incumbrances and it is further understood and agreed by and between the parties hereto that said party of the second part shall have the immediate possession of the West fifty feet of said lot & the tenements thereon and that said parties of the first part shall retain the possession of the East fifty feet of said lot until the 1<sup>st</sup> day of December 1873 free from all charge and shall ~~have~~ the right to remove the buildings now used for Soda works. - And it is further agreed that if said party of the second part should fail to make the payments as above specified then that all payments theretofore made should be considered as rent paid for the use and occupation of said premises by said party of the second part. In Witness whereof the parties hereto have hereunto set their hands & seals the day and year above written.

Witness  
 Charles Hubbard

W.S. Boland Seal

Joseph Mendes Seal

F.B. Witterenberg Seal

By his attorney in fact

Joseph Mendes

Co. Eureka Nev.  
 April 28 1873.  
 Received of W.S.  
 Boland Six Hundred  
 Dollars United  
 States Gold Coin  
 first payment as  
 above stated  
 Joseph Mendes

State of Nevada }  
 County of Eureka } ss

On this 12<sup>th</sup> day of May A.D. one thousand eight hundred and seventy three personally appeared before me Geo. W. Merrill a Notary Public in and for the said County of Eureka Joseph Mendes and W.S. Boland whose names are subscribed to the annexed instrument as parties thereto personally known to me to be the same persons described in and who executed the said annexed instrument as parties thereto and who duly acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate first above written.

Notary Public Geo. W. Merrill Notary Public

State of Nevada }  
 County of Eureka } ss

On this 12<sup>th</sup> day of May A.D. One Thousand Eight Hundred and seventy three before me Geo. W. Merrill a Notary Public in and for said Eureka County residing therein duly commissioned and sworn personally appeared J. Mendes personally known to me to be the same person

described in and who executed by Power of Attorney the annexed instrument as the Attorney in fact of J. B. Whittenberg named in the annexed Instrument as a party thereto, and therein described as the party executing the same by his said Attorney and the said J. Mendes duly acknowledged to me that he executed the same freely and voluntarily as and for the act and deed of the said J. B. Whittenberg and for the uses and purposes therein mentioned.

In Witness Whereof I have hereunto set my hand and affixed my Official Seal at my office in said County the day and year in this Certificate first above written.

Seal

Geo. W. Merrill Notary Public.