

Article of Agreement

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✓ This agreement made and entered into at Eureka Nevada this First day of July A.D. One thousand eight hundred and Seventy three by and between L. O. Pope and B. C. Ball of Eureka County parties of the first part and Geo. W. Hays of the same place the party of the second part Witnesseth that the parties of the first part, for and in consideration of the promises and agreements hereinafter stated, to be faithfully kept and performed by the party of the second part hereby covenant promise and agree to and with the party of the second part to enter into and upon that certain mining claim owned and possessed by the party of the second part known as the Little Horn mining claim situated in the Secret Canon mining District County and State aforesaid,* and sink a shaft thereon at a point to be selected by the parties hereto and of the size four (4) feet by eight (8) feet in the clear and to the depth of the point where and when mineral may be struck in said shaft, and the parties of the first part hereby covenant and agree to perform said work in a miner like manner with all reasonable dispatch and diligence and at their own proper cost charges and expenses, and the said party of the second part in consideration of said work and labor to be done and performed by said parties of the first part, and the striking of mineral in said shaft are covenanted and agreed by the parties of the first part and the further consideration of the faithful performance by the said parties of the first part of their covenants aforesaid do hereby promise and agree to and with the parties of the first part to sell and convey to said parties of the first part an undivided interest of Two hundred (200) and fifty (50) feet of mining ground in and upon said Little Horn Mine. Provided always that the mineral shall be struck in said shaft at any point within a distance of fifty (50) feet from the surface but in the event that the parties

of the first part shall be compelled to sink said shaft to a greater depth than fifty feet (50) before striking mineral in pursuance of this contract then and in that event and upon the striking of said mineral below the said depth of fifty (50) feet the said party of the second part hereby covenants and agrees to and with the said parties of the first part to sell and convey to them the said parties of the first part, an additional interest of fifty (50) feet undivided in and upon said Little River mining claim, making in the aggregate three hundred (300) feet undivided the said interest to be conveyed by deed and to convey all the right title and interest of the said party of the second part in and to the interests so conveyed. And it is hereby understood by and between the parties herunto that ~~the~~ the word striking mineral in this contract is meant, striking a body of ore well defined and which may be considered in mining parlance the body of ore or Deposit of the mine or claim.

In witness whereof the parties herunto have set their hands and seals this day and year first above written.

Attest W. H. Davenport

L. D. Pope
B. E. Ball
Geo. A. Sayre

Seal
Seal
Seal

State of Nevada }
County of Eureka } SS

On this 18 day of July A. D. one thousand eight hundred and seventy three personally appeared before me Geo. W. Merrill a Notary Public in and for said Eureka County W. H. Davenport personally known to me to be the same person whose name is subscribed to the annexed instrument - as a witness thereto who being by me duly sworn depored and said that he resides in Eureka County Nevada that he was present and saw L. D. Pope B. E. Ball and Geo. A. Sayre personally known to him to be the same persons described in, and who executed the said annexed instrument as parties thereto sign seal and deliver the same and that the said L. D. Pope B. E. Ball and Geo. A. Sayre duly acknowledged in the presence of said officent that they executed the same freely and voluntarily and for the uses and purposes therein mentioned and that he the said officent subscribed his name as a witness thereof. In witness whereof I have herunto set my hand and affixed my official seal the day and year in this certificate first above written.

Geo. W. Merrill
Notary Public

Seal

Recorded at request of W. H. Davenport - July 21st 1873 at 9 O'clock Am.

A. J. Campbell, Recorder
By J. H. [unclear] Deputy