

W A Montgomery
with
Jacob Cohn and Donas Cohn.

Articles of Agreement made and concluded this twenty fourth day of March A D One thousand eight hundred and seventy six, as the town and County of

Esmeralda, State of Nevada, by and between William A Montgomery of said town and County and Jacob Cohn and Donas Cohn both of the same place.

First. The said William A Montgomery, in consideration of the sum of One thousand (1000) Dollars, U S Gold Coin to him paid by the said Jacob Cohn and Donas Cohn, the receipt whereof is hereby acknowledged, and in further consideration of the promises of the said Jacob Cohn and Donas Cohn hereinafter contained doth hereby promise and agree to and with the said Jacob Cohn and Donas Cohn, that he will on or before the tenth day of May A D 1876, make and deliver to the said Jacob Cohn and Donas Cohn, a good and sufficient deed with covenants against incumbrances done made or suffered by him of all that certain piece, parcel and lot of land situate lying and being in the town of Esmeralda County of Nevada and State of Nevada bounded and described as follows: That certain town lot numbered four (4) in Block number two (2) as laid down on the plat of A Munroe's survey of the said town of Esmeralda, the same being twenty five (25) feet front on the west side of Main Street and extending back the same uniform width of twenty five (25) feet a distance of One hundred feet (100) to the east line of Munroe Street and further described as being the same lot of land described in that certain lease made between said Montgomery and said Jacob Cohn on the 28th day of January A D 1876.

Second. In consideration whereof the said Jacob and Donas Cohn, do hereby promise and agree to and with the said William A Montgomery that they will on such deeds being tendered to them by said William A Montgomery on or before the said tenth day of May A D 1876 pay to the said William A Montgomery, the further sum of five thousand (5000) Dollars in U S Gold Coin in addition to the payment already made being the balance of the purchase money hereby agreed upon for the said property and the appurtenances thereto belonging.

And it is hereby understood and agreed mutually that in the event of the failure of the said Jacob and Donas Cohn, or either of them, to pay the said five thousand (5000) Dollars as herein provided, then and in that case the said William A Montgomery shall be under no obligation either in law or equity to make or deliver the said deed and the said Jacob and Donas Cohn or either of them shall have no right either in law or equity to claim the return of the said One thousand Dollars but the same shall be taken as settled and liquidated damages as and for the breach of the covenant of the said Jacob and Donas Cohn as herein stated.

And to the true and faithful performance of all the agreements herein contained, on the part of the said William A Montgomery and Jacob Cohn and Donas Cohn

Each of them binds himself, his heirs, executors and administrators to the other and his heirs, executors and administrators.

In witness whereof the parties hereto have set their hands and seals this 24th day of March A.D. 1876.

W A Montgomery

Jacob Cohen

D Cohen



State of Nevada (ss.
County of Esmeralda)

On this Twenty fourth day of March A.D. one thousand eight hundred and seventy six, before me R L Chase Recorder and ex-officio Auditor in and for said Esmeralda County, personally appeared the within named, W A Montgomery, Jacob Cohen, and D Cohen whose names are subscribed to the annexed instrument as parties thereto personally known to me to be the individuals described in and who executed the said annexed instrument and who each severally 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 hands and affixed my official seal in said County the day and year in this Certificate first above written.

R L Chase.

Recorder.

Recorded at request of Jacob Cohen March 24th A.D. 1876 at 30 minutes past 1 P.M.

R L Chase

Recorder