

Alexander Fraser
and

No. 2795.

Madeline Fraser | Agreement and Contract of Separation.

This Agreement and Contract of Separation, made and entered into the sixteenth day of August, in the year of our Lord one thousand nine hundred and nine, Between Alexander Fraser, of the town and county of Eureka, State of Nevada, the party of the first part, and Madeline Fraser, his wife, of the same place, the party of the second part, witnesseth: That the said parties of the first and second part, hereinbefore named, by mutual consent and with full understanding, and subject to the division of the property and agreements hereinafter contained, do hereby agree to an immediate separation as husband and wife, and by these presents do hereby separate and live apart. And it is further stipulated, covenanted and agreed by and between the said parties of the first and second part, that said parties shall not be liable or subject in any manner whatsoever for any debts or obligations contracted by said either party for the support, or otherwise, of the other party. And in pursuance of and as a part and consideration of the foregoing articles of mutual separation, the said parties agree to and do dispose of each and all the property and property rights, real, personal and mixed, and obligations of said first and second parties as follows, to wit:

1. The said party of the first part to make, sign and deliver unto the said party of the second part a deed to that certain building and lot situate on and known as Lot No. 1, in Block 37 on the corner

of Main and Clark streets, in the town and county of Eureka, State of Nevada, and now occupied by and known as 'The One Price Store'; together with all improvements thereon and appurtenant thereto, also all goods, wares and merchandise therein contained, or belonging to.

2. The said party of the first part to pay all sums of money now due or owing one P.H. Hjul, of the town and county of Eureka, State of Nevada, for lumber and material furnished by said Hjul for the repair of said building.

3. The said party of the first part to pay all sums of money now due or owing one J.H. Little, of the town and county of Eureka, State of Nevada, for labor performed on said building in and during the months of July and August, 1909.

4. The said party of the second part forever relinquishes and gives up unto the said party of the first part, for his own and special use, all her right, title and interest in and to, all, and each and every part, of and to that certain sum of money now in the hands and custody of one H.F. Golding, of the town and county of Eureka, State of Nevada, and realized by the sale of certain mines and mining property by the said Alexander Fraser and Madeline Fraser, his wife, to one J. S. McQuillan on the fourteenth day of August A.D. 1909.

5. The said party of the second part hereby agrees by good and sufficient deed or conveyance, to forever relinquish and give up unto the said party of the first part, for his own and special use, all her right, title and interest in and to all property of whatever kind and nature, real, personal and mixed, except that certain property hereinbefore mentioned, now owned or held by said first and second parties together or as community property, or to any and all separate property of the said party of the first part.

6. The said party of the second part assumes all debts, except those certain debts hereinbefore mentioned, contracted by said first and second - in the repair of said building or store and also all debts that may hereafter exist for goods, wares and merchandise purchased - store or otherwise. Witness whereof, the said parties of the first and second part have set their hands and seals the day and year first above written.

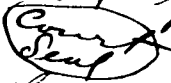
Alex Fraser (seal)
Madeline Fraser (seal)

State of Nevada }
County of Eureka } ss. On this 16th day of August

Copy poor
A.S.

A. D. 1909, before me J. Mc Charles County Clerk, and ex-officio Clerk of the Third Judicial District Court of the State of Nevada, in and for said County, personally appeared Alexander Fraser and Madeline Fraser his wife, personally known to me to be the individuals described in and who executed the annexed instrument as parties thereto, and acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned. And the said Madeline Fraser wife of the said Alexander Fraser having been by me first made acquainted with the contents of said instrument, acknowledged to me, on examination apart from and without the hearing of her husband, that she executed the same freely and voluntarily, without fear or compulsion, or undue influence of her husband, and that she did not wish to retract the execution of the same.

In witness whereof, I have hereunto set my hand officially and affixed the Seal of the said District Court, the day and year in this certificate first above written.

 J. Mc Charles, County Clerk,
and ex-officio Clerk of the said Third Judicial District Court,
Eureka County. By Deputy

Recorded at the request of A. Fraser Aug. 16th A. D. 1909 at
35 mins. past 11 A. M.

Wm. G. Recorder