

File 10160
agreement

This agreement executed this 28th day of March, 1913, by and between William E. Barney and Ernest O. Barney, of Tyron Mining District Caribou County Nevada, party of the first part and Daniel F. Yost, of Hammond, Atlantic County, New Jersey, party of the second part, witnesseth:

That in consideration of the payment by the party of the second part the sum of One Hundred (\$100) Dollars, to the party of the first part, the receipt of which is hereby acknowledged by the party of the first part, the said party of the first part hereby agrees to grant, bargain, sell and convey to the said party of the second part, at his, the second party's option, all of their right, title and interest in and to the following described mining property and claims, situate in said Tyron Mining District, to wit: The gold circle, Gold Basin, Lookout, Quartz Crystal and Storm, upon the following terms and conditions.

The said party of the second part is to pay to said party of the first part the further sums as follows:

One Hundred and fifty dollars on or before May 1, 1913 and Three Thousand dollars on or before November 1, 1913 and Three Thousand dollars on or before May 1, 1914.

and said party of the first part agrees to execute a quit claim deed or deeds to all of said above named five claims, to said party of the second part within thirty days from date and to deposit said deeds in escrow with the First National Bank of Elko Nevada, together with a copy of this agreement. The parties also agree that the above mentioned payments are to be made to said First National Bank.

It is further agreed that said party of the second part shall have the right to enter upon said property immediately and perform such work and development as he may desire and that he shall have the right to remove any tools, machinery or other property that he may have use at any time; provided however that the cost of any such work, labor or supplies is to be borne entirely by said party of the second part.

Who hereby forever holds harmless said

said party of the first part on account of said expenses.

and finally it is agreed and understood that upon failure of the party of the second part to make any of the above mentioned payments then this agreement shall become null and void and said deeds are to be released by said Escrow agents.

This agreement is executed in triplicate each of the parties one & each is to be considered an original for all purposes.

Signed and sealed the day, month & year above written.

Witness
Elija D. Barney.

Wm. E. Barney (Seal)
Ernest C. Barney (Seal)
Daniel T. Yost (Seal)

Supplemental agreement.

This agreement executed this 4th day of April A.D. 1913, by and between William E. Barney, and Ernest C. Barney, of Tyron Mining District, Eureka County, Nevada, parties of the first part, and Daniel T. Yost, of Hamonton, Atlantic County, New Jersey, party of the second part, witnesseth:

That for and in consideration of the payment to the parties of the first part of the sum of one (1) dollar, and other good and valuable consideration by the party of the second part, the receipt whereof is truly duly confessed and acknowledged, the said parties of the first part, truly covenant and agree as supplemental to that certain agreement between the parties hereto, dated March 28, 1913, a copy of which said agreement is hereto attached and made a part hereof, that said party of the second part herein may during the period of his option upon the "Sold Circle" "Sold Basin" "Lookout" "Fourth Capital" and "Storm Lake" mining claims situate in the Tyron Mining District, Eureka County, Nevada, have the right and privilege of mining, extracting, and shipping ore from said premises as he shall see fit, provided however, that the said party of the second part shall pay as royalty upon ore so shipped from said premises, fifty (50) per cent. of the net proceeds of all ore shipped after deducting the cost of transportation, sampling and treatment charges thereon, which said royalty so paid shall apply upon the purchase price of said mining claims as stipulated in the original agreement above referred to, a copy whereof is hereto attached.

In witness whereof, the parties hereto have
 hereunto set their hands and seals on the
 day and date herein first above written.

Ernest C. Barney (seal)

Witness to each

Wm. C. Barney (seal)

Charles E. Yappo.

Samuel T. Yost (seal)

Executed at the request of Samuel T. Yost April 8
 A. D. 1913 at 30 minutes past 4 P. M.

Edgar Cather, Recorder

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