

Full execution of this Mortgage is hereby acknowledged Feb 22 1880

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(X)

William W. Forbes

See Miscellaneous Record 3 Page 370

A written assignment from Isaac Birge to William W. Forbes dated Feb 14 1880 appears upon the back of the original mortgage of which the annexed is a copy for the purpose of recording the same.

Martin W. Forbes  
Do E. Mortgage  
Isaiah Birge

34 77.27

To all people to whom these presents shall come greeting Know ye that we Martin W. Forbes and Elizabeth S. A. Forbes of Milloughby Lake county Ohio for the consideration of three hundred dollars received to our full satisfaction of Isaiah Birge of East Cleveland Cuyahoga county State of Ohio do give grant Bargain sell and confirm unto him the Said Isaiah Birge the following described tract or lot of land situate in the township 27. Seventy Seven in the county of Madison State of Iowa described as follows viz The North <sup>half</sup> of the South west quarter of Section 34 thirty four [and the North East quarter of the South East quarter of Section 33, thirty three in the Township 27. Seventy Seven North Range 27. Twenty Seven west of the Fifth 5] principal meridian in the State of Iowa Madison county containing one hundred and twenty acres according to Government Survey be the same more or less but subject to all legal highways to have and to hold the above granted and bargained premises with the appurtenances thereof unto him the Said Birge his heirs and assigns forever to him and his own proper use and behoof. And also the Said Martin W & Elizabeth S. A. doth for themselves & their heirs executors and administrators covenant with the Said Birge & his heirs and assigns that at and until the enfeoffing of these presents they are well seized of the premises as a good and indefeasible estate in fee simple and have good right to bargain and sell the same in manner and form as above written and the same be free from all incumbrances whatsoever. And furthermore we the Said Martin W & Elizabeth S. A. do by these presents bind ourselves our heirs forever to warrant and defend the above granted and bargained premises to him the Said Birge his heirs and assigns against all lawful claims and demands whatsoever. And I the Said Elizabeth S. A. wife of the Said Martin W do hereby remise release <sup>and</sup> forever quit claim unto the Said Birge his heirs and assigns all my right and title of claim in the above described premises. The condition of this deed is such that whereas the Said Martin W Forbes and Elizabeth S. A. Forbes have executed and delivered to the Said Birge two promissory notes (viz) one note of one hundred & thirty Eight

Dollars dated April 1<sup>st</sup> 1861 to be paid in one year from date with interest. also one Note of one hundred thirty eight dollars dated April 1<sup>st</sup> 1861 to be paid in two years from date with annual interest Now if the Said Martin W. Elizabeth L. A. or their heirs assigns executors or administrators shall well and truly pay the aforesaid notes according to the tenor thereof to the Said Birge or his heirs or assigns then the above Deed shall be void otherwise it remains in full force and virtue in witness whereof we have hereunto set our hands and seal the Seventh day of May in the year of our Lord one thousand eight hundred and sixty one Signed Sealed and delivered in presents of

James Wilds  
Cornelius W. Birge

E. M. W. Forbes  
E. V. A. Forbes

The State of Ohio  
Cuyahoga County  
East Cleveland May 7<sup>th</sup> 1861 personally appeared Martin W. Forbes & Elizabeth L. A. Forbes who acknowledged that they did sign and seal the foregoing instrument and that the same is their free act and deed I further certify that I did examine the Said Elizabeth L. A. Forbes separate and apart from her Said husband and did then and there make known to her the contents of the foregoing instrument and upon that examination she declared that she did voluntarily sign seal and acknowledge the same and that she was still satisfied therewith

Before me James Wilds Justice of the Peace  
The State of Ohio  
Cuyahoga County  
Frederick J. Prentiss clerk of the court of common pleas a court of law and of record of Cuyahoga county aforesaid do hereby certify that James Wilds before whom the annexed Acknowledgement was taken was at its place a Justice of the Peace in and for said county duly authorized by the laws of Ohio to take the same and that I am well acquainted with his hand writing and believe his signature thereto is genuine and that the annexed instrument is executed and acknowledged according to the laws of the State of Ohio in testimony whereof I hereunto subscribe my name and affix the seal of said court at Cleveland this 12<sup>th</sup> day of August AD 1861

Seal  
Wilds

Fred J. Prentiss, Clerk  
By Geo. Bingham Deputy clerk

Filed for record August 19 AD 1861  
at 10 O'clock A.M. J. G. Blount Recorder