

J. W. Moser Recorder

John Walton & wife
To Deed
John B Berry

This indenture made this
Seventh 7th day of September
in the year of our Lord One thousand

eight hundred and Sixty four between John Walton
and Mary Walton of the county of Peoria and State
of Illinois of the first part and John B Berry of the
county of Peoria and State of Illinois Witnesseth
that the said party of the first part for and in consideration
of the sum of Three Hundred and Twenty five Dollars in hand
paid by the said party of the second part the receipt whereof
is hereby acknowledged have granted bargained and sold and
by these presents do grant bargain and sell unto the said
party of the second part his heirs and assigns all the following
described lots pieces or parcels of land situated in the
State of Iowa in the County of Madison to wit The
South East Quarter of the South West Quarter of section
Number thirty three (33) in Township Number seventy five (75)
North of Range Twenty Eight (28) West And the North East
Quarter of the North West Quarter of section Number
Four (4) Township Number seventy four (74) North of
Range Twenty Eight (28) West and a piece of land off
of the North East Quarter of section Four (4) to wit com-
mencing at the North West corner of said Quarter
section thence running East Ten (10) Rods thence South one
hundred and sixty five (165) Rods and East Twenty one
(21) Degrees and Twenty minutes (20) to the South line of
said quarter section thence west to the South West
corner of said Quarter section thence North to the place
of beginning containing about Forty acres more or
less Together with all and singular the hereditaments
and appurtenances therunto belonging or in anywise
appertaining and the reversion and reversions remain-
der and remainders rents issues and profits thereof
and all the estate right title interest claim and
demand whatsoever of the said party of the first

part either in law or equity of in and to the above bargained premises with the ~~benefits and appurtenances~~ appurtenances to have and to hold the said premises above bargained and described with the appurtenances unto the said party of the second part his heirs and assigns forever and the said John and Mary Walton party of the first part hereby expressly waive release and relinquish unto said party of second part his heirs executors administrators and assigns all right title claim interest and benefit whatever in and to the above described premises and each and every part thereof which is given by or results from all laws of this state pertaining to the exemption of homestead and the said John Walton and Mary Walton party of the first part for their heirs executors and administrators do covenant grant bargain and agree to and with the said party of the second part his heirs and assigns that at the time of the encasing and delivery of these presents they were well seized of the premises above conveyed as a good sure perfect absolute and in defeasible estate of inheritance in law in fee simple and have good right full power and lawful authority to grant bargain sell and convey the same in manner and form aforesaid and that the same are free and clear of all former and other grants bargains sales liens taxes assessments and incumbrances of what kind or nature soever and the above bargained premises in the quiet and peaceable possession of the said party of the second part his heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof the said party of the first part shall and will warrant and forever defend In witness whereof the said parties have hereunto set their hands and seals the day and year first above written

Signed sealed and delivered in presence of

N D Jay

State of Illinois }
Peoria County }

W D Brewster
J W M M Sept 7th 1864

John^{his} Walton
Mary^{mark} Walton

I Nelson D Jay, a Justice of the peace in and for said county in the State aforesaid do hereby certify that John Walton and Mary Walton personally known to me as the same persons whose names are subscribed to the annexed deed appeared before me this day in person and acknowledged that they signed sealed and delivered the said instrument of writing as their free and voluntary act for the uses and purposes therein set forth and the said Mary Walton wife of the said John Walton having been by me examined separate and apart from the hearing of her husband and the contents and meaning of the said instrument having been by me fully made known and explained to her acknowledged that she had freely and voluntarily executed the same and relinquished her dower to the lands and tenements therein mentioned without compulsion of her said husband and she does not wish to retract the same given under my hand and seal this seventh day of September A D 1864

State of Illinois

Nelson D Jay J P

Peoria County I Charles Kettelle clerk of the county court in and for said county do hereby certify that N D Jay whose name appears to the foregoing certificate was an acting Justice of the peace in and for the said Peoria County duly commissioned and qualified as appears of record in my office that as such full faith and credit is due to all his official acts and his signature is genuine given under my hand and official seal at the city of Peoria this seventh day of September A D 1864

AS

State of Illinois

Charles Kettelle

Filed for record Jan 22nd 1866 at 10 1/2 o'clock A M O D Moser Recorder