

472

Peter Owen & wife
Do^r Deed
Abram M. Harper

This Indenture, made this second day of October in the year of our Lord, One thousand, Eight hundred and Fifty four, Between Peter Owen & Nancy his wife of the County of Marshall and State of Illinois, of the first part, And Abram M. Harper of the County of Madison and State of Iowa, of the second part:

Witnesseth - That the said parties of the first part, for and in consideration of the sum of Three hundred dollars lawful money of the United States paid by the said party of the second part, the receipt of which is hereby acknowledged, do by these presents Grant, Bargain, and Sell, unto the said party of the second part, his heirs and assigns, one certain tract or parcel of land, known and described as follows, to-wit:

The South West quarter of the South — quarter of Section No Fifteen (15) and the North West quarter of the North East quarter of Section No Twenty two (22) in Township No Seventy six (76) North of Range No Twenty seven in the County of Madison and State of Iowa.

Together with all and singular the hereditaments and appurtenances therunto belonging, or in any wise appertaining. - To have and to hold the said premises, as above described, with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

And the said Peter Owen for himself and his heirs, executors and administrators, do hereby Covenant to and with the said party of the second part, his heirs and assigns, that he is lawfully seized of the above granted premises, in Fee Simple, and has good right to sell and convey the same, in manner and form aforesaid; and that they are free from all encumbrances; and the said Peter Owen for himself and his heirs, executors and administrators, 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, shall and will Warrant and forever defend. - In Witness whereof, the said party of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in presence
of J W Maxwell

Peter Owen 
Nancy ^{his} Owen 

State of Illinois
Marshall County } ss

I, James W. Maxwell a Justice of the Peace in & for said County, do certify, that on this day personally appeared before me Peter Owen and Nancy his wife whose names appear subscribed to the foregoing deed of Conveyance as having executed the same, and who are personally known to me to be the real persons who and in whose names the acknowledgment is proposed to be made, and acknowledged the execution thereof, as their voluntary act and deed for the uses and purposes therein expressed. - And Nancy Owen wife of the said Peter Owen having been by me made acquainted with the contents of the said deed, and by me examined separate and apart from her said husband, whether

she had executed the same, and relinquished her dower to the lands and tenements therein mentioned, acknowledged that she had done so voluntarily and freely, and without compulsion of her said husband, and does not wish to retract. — Given under my hand and seal of Office at Sacon this tenth day of October A.D. 1854.

James W. Maxwell J.P. Seal

State of Illinois }
Marshall County }³³

I, Washington C. Cook Clerk of the County Court, in and for said County, do hereby certify that James W. Maxwell Esquire whose signature appears to the certificate of acknowledgment to the within and foregoing attached instrument of writing, was at the date thereof; and now is, an acting Justice of the Peace, within and for the County aforesaid; as such, duly commissioned and sworn into office according to law, and authorized by the statutes and laws of Illinois to take acknowledgments of Deeds, and Mortgages, and other instruments of writing, for the conveyance of Real Estate, and administer Oaths, as appears on record in my office; and his official acts are entitled to full faith and credit; that I am well acquainted with the hand writing of said Justice, and believe the signature to said instrument to be genuine. — In witness whereof, I have hereunto subscribed my name, and attached the seal of said County, at Sacon, this 30. day of October, in the year of our Lord One thousand, eight hundred and fifty four.

"L.S."

Washington C. Cook Clerk

Decree in & Chancery State of Iowa }
Madison County }³³

Be it remembered that on the 2^d day of the August term of the Dist. Court of said County commenced and held in Winterset therein on the 22^d day of August 1870, present Hon. H. W. Maxwell presiding, the following proceedings were had:

Ⓢ " Joseph Shaffer

vs

Peter Owen, Nancy Owen,
Abraham McHarper, & Mary C. Harper,

N^o 334 Chancery
Default & Decree

Now comes the plaintiff by his Attorney and makes proof of service of process and the Court being fully satisfied that defendants have had due and legal notice of the pendency of this suit orders that a default be entered against them, which is accordingly done. — And this cause thereafter coming on for trial upon the petition and proofs of plaintiff, the Court finds that the plaintiff as against the defendant is the legal and equitable owner of the following described Real Estate, in Madison County Iowa, to-wit:

The North West quarter of the North East quarter (NWNE) of Section Twenty two (22) and the South West quarter of the South East

quarter of Section Fifteen (15) in Township Seventy six (76)th of Range Twenty seven (27) West. — That said land was conveyed to defendant Peter Owen by the United States; by Peter Owen and his wife Nancy Owen to Defendant Abraham M. Harper and his wife Mary C. Harper to plaintiff; that by mistake in the deed from Owen to Harper the South West quarter of the South East quarter of fifteen is imperfectly described, as the South West quarter of the South quarter &c., that in the deed from defendant Harper to plaintiff said defendant failed to sign his name in full, but merely signed A. M. Harper.

It is therefore considered adjudged and decreed by the Court that the said errors and mistakes be and are hereby corrected, and that the plaintiff hold the said Real Estate as against said defendant or parties claiming under thereby an absolute title in fee simple, the same as if no mistakes had ever occurred.

Signed at the end of the days proceeding

H. W. Maxwell
Judge

State of Iowa }
Madison County }³³

I, D. C. Cooper Clerk District Court in and for said County hereby certify the foregoing to be a true transcript of the Decree entered in said above entitled cause, as full true and complete as the same remains of Record in my Office,

In witness whereof I hereunto set my hand and affix the Seal of said Court at Winterset on this 8th day of Sept. A. D. 1870.

"L.S."

Witnessed 05^c
D. C. C. Sep 8 1870

D. C. Cooper Clerk
District Court

Filed for Record Sept. 13th 1870, at 9 o'clock A. M.

O. A. Moser Recorder