

#449
 R. B. Dennis, Trustee)
 to
 Van Auken & Horton

(Filed For Record October 23^d A.D. 1905 at 11:45
 Contract (6'clock A.M.
 E. F. Connoran
 Recorder.

This Article of Agreement made and entered into this 23d day of October A.D. 1905, by and between R. B. Dennis, of Des Moines, Polk County, Iowa, party of the first part, and C.H. Van Auken and H. B. Horton, a co-partnership under the firm name of Van Auken & Horton, of Winterset and the County of Madison, and State of Iowa, parties of the second part, WITNESSETH:

That second parties, in consideration of the performance of the conveyances hereinafter named, do hereby bargain, sell, assign, set over and convey all of their right, title and interest of every kind and description in and to their general stock of merchandise, dry goods, notions, groceries, furniture, fixtures, good will and all other articles of personal property of said firm now kept and owned by them in the store building of said parties of the second part located at Winterset in the County of Madison and State of Iowa.

To the said R. B. Dennis, party of the first part, as trustee for the following purposes: that the said R. B. Dennis party of the first part, as such trustee shall take full possession of such stock of goods above named and that he shall at once proceed to sell and dispose of the same as he may think best and the proceeds of such sale or sales of stock made by said trustee shall be used and employed by him to pay the debts of all creditors of said firm as the debts of said creditors against said firm shall be made to appear to the said trustee, R. B. Dennis. That the said R. B. Dennis, party of the first part, as such trustee, shall retain full possession and control of said stock of goods and proceed with the sale thereof until all the just claims of all the creditors against said firm are satisfied and paid, or until the entire stock of said firm has been exhausted in the process of said sales and all claims have been satisfied as far as said stock will pay off the same.

It is further agreed that in case there is any part of said stock remaining after the debts of creditors have been satisfied as contemplated in this agreement, then in such event said R. B. Dennis, party of the first part, as trustee, shall turn over and deliver any part of said stock so remaining to said firm, parties of the second part.

That for his duties and services to be rendered in this matter, and under this contract, the said R. B. Dennis, party of the first part, as trustee, shall receive for his services in settling said claims of said creditors of said firm and in carrying out the terms of this contract in selling and disposing of said stock for such purpose, he shall receive the sum of \$100.00 & Necessary Expenses.

Witness our hands the day last above written.

R. B. Dennis
 H. B. Horton
 C.H. Van Auken

State of Iowa County of Madison) ss.

Be it remembered that on this 23 day of October A.D. 1905 before me personally appeared R. B. Dennis and C.H. Van Auken and H. B. Horton to me known to be the persons named in and who executed the foregoing instrument, and acknowledge that they each of them executed the same as their voluntary act and deed.

District Court
 Seal,

J.A. Way, Clerk D.C.
 By W.F. Craig, Deputy.

G.H. Messenger)
 to) Assignment of Mtg. (6'clock A.M.
 Minerva Nicholson)
 (Filed for Record October 28th A.D. 1905 at 8.00
 E. F. Connoran
 recorder.

For Value Received, I hereby sell and assign unto Minerva Nicholson all my right, title, and interest in and to a certain Mortgage bearing date the 10th day of March 1905 executed by William Long and Amanda Long to G.H. Messenger and recorded in the records of Madison County, Iowa, in Book 41 of Mortgages, page 104 on the 11th day of March 1905 and authorize said assignee to collect, enforce or cancel the same.
 Dated the Twenty Fifth day of October 1905.

State of Iowa, Shelby County, SS.

G.H. Messenger.

On this Twenty-sixth day of October A.D. 1905 before me, A Notary Public in and for said County, personally came G.H. Messenger, to me personally known to be the identical person who signed the above instrument as Grantor and acknowledged the execution of the same to be his voluntary act and deed, as witness my hand and Notarial Seal on the dates last above written.

NOTARY
 SEAL

Arthur F. Schoubbe
 Notary Public in and for
 Shelby County, Iowa.