

This Indenture, Made this First day of October, in the year of our Lord one thousand eight hundred and eighty five By and Between James W. Counts and Mertie F. Counts, his wife of the County of Douglas and State of Kansas, party of the first part, and Timothy B. Sweet, of the County of Shawnee, and State of Kansas, Trustee, party of the second part, (and in case of the death, absence or removal from said County of Shawnee, refusal or inability to act of the said party of the second part, then George M. Noble of said County of Shawnee, shall be and is hereby appointed and made successor in trust to said party of the second part, under this deed, for the purpose hereinafter expressed with the same power and authority as said Trustee) and E. M. Sheldon party of the third part.

Witnesseth, That the said party of the first part in consideration of the debt and trust hereinafter mentioned and created, and of the sum of one dollar in hand paid, the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell, convey and confirm unto the said party of the second part, and to his successors in trust forever, all of the following described premises, situated in the County of Douglas and State of Kansas, and more particularly bounded and described as follows to wit:

The West Forty-one and $\frac{22}{100}$ ($41\frac{22}{100}$) acres of the South west quarter and the South Thirty-eight and $\frac{78}{100}$ ($38\frac{78}{100}$) acres of the East One hundred and Eighteen ($118\frac{1}{2}$) acres of the South west quarter all of Section No. Twenty-three (23) in Township No. Fourteen (14) South of Range No. Twenty (20) East of the Sixth P. M. Containing in all Eighty (80) Acres, more or less.

To Have and to Hold, the said described premises, together with all the rights, privileges, hereditaments and appurtenances to the said premises, in any wise appertaining or belonging with all the rents, issues and profits thereof, and the emblements thereon and the