

# GENERAL WARRANTY DEED WITH RELINQUISHMENT OF DOWER.

THIS INDENTURE, Made and entered into this 1<sup>st</sup> day of November one thousand nine hundred and five by and between J. H. Spain and Mary A. Spain of Broken Arrow Indian Territory part of the first part, and

James H. Chilton of Broken Arrow Indian Territory part of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Fourteen hundred & DOLLARS, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, convey and confirm unto the said part of the second part the following described real estate and premises situated in the Muskogee or Creek Nation, and within the limits of the Indian Territory, to-wit:

Sole number seventeen, eighteen, nineteen, twenty, twenty one and twenty two in block number nineteen in Broken Arrow Indian Territory.

together with all the improvements thereon, and the appurtenances and immunities thereunto belonging or in anywise appertaining thereto.

To have and to hold the aforegranted premises to the said James H. Chilton and his heirs and successors, in fee simple forever; and the said J. H. Spain and Mary A. Spain for ourselves and our heirs, executors and administrators do covenant with the said James H. Chilton and his heirs, successors and assigns, that we are lawfully seized in fee of the aforegranted premises; that they are free from all incumbrance; that we have good right to sell and convey the same to said James H. Chilton as aforesaid; and that we will and our successors, heirs, executors and administrators shall warrant and defend the same to the said James H. Chilton and his heirs, successors and assigns forever against the lawful claims and demands of all persons.

And I, Mary A. Spain of Broken Arrow Indian Territory wife of said J. H. Spain, for and in consideration of the said sum of money, do hereby release and relinquish unto the said part of the second part all my right of dower and homestead in and to the said lands.

IN WITNESS WHEREOF, the said parties of the first part hereunto set their hand and seal the day and year first above written.

Witnesses:

J. H. Spain [SEAL]  
Mary A. Spain [SEAL]  
[SEAL]

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, } SS  
WESTERN JUDICIAL DISTRICT }

BE IT REMEMBERED, That on this day came before me, the undersigned, a Notary Public, within and for the Western Judicial District of the Indian Territory aforesaid, duly commissioned and acting as such

J. H. Spain to me personally well known as the person whose name appears in the within and foregoing deed of conveyance as one of the parties grantors, and stated that he had executed the same for the consideration and purposes therein mentioned and set forth, and I do hereby so certify.

And I further certify that on the same day also voluntarily appeared before me the said Mary A. Spain wife of said J. H. Spain to me well known to be the person whose name appears upon the within and foregoing deed, and in the absence of her said husband, declared that she had of her own free will, executed said deed, and signed and sealed the relinquishment of dower and homestead in the foregoing deed for the consideration and purposes therein contained and set forth, without compulsion or undue influence of her said husband.

Witness my hand and seal as such Notary Public, on this the 1<sup>st</sup> day of Nov. 1905  
[SEAL] F. L. Reed Notary Public.

My commission expires Dec 26 1905

Filed for record Nov 25 1905 at 5<sup>00</sup> o'clock P. M.

H. B. Halkley Deputy U. S. Clerk and Ex-Officio Recorder.