

This Indenture made this 23rd day of December in the
 Year of our Lord One thousand Eight Hundred and fifty
 Eight between George H Smyder of Lawrence Territory
 of Kansas of the first part and George W Hay of
 Haliburton County Ohio of the second part, Witnesseth that the
 said party of the first part, for and in consideration of the sum
 of One Hundred and thirty Eight Dollars, the receipt whereof
 is hereby acknowledged, doth he give grant, bargain sell release
 convey and confirm unto the said party of the second part, and to
 his heirs and assigns, forever, all the following described land situated
 in Lawrence Kansas Territory, to wit. One Hundred and forty six
 (146) Connecticut Street. together with all and singular the
 hereditaments and appurtenances therunto belonging, in any
 way appertaining both in law and Equity, This Grant is
 Intended as a Mortgage to secure the payment of the sum of
 One Hundred and thirty Eight Dollars, with Interest at
 five (5) per cent per month after due until paid, due One
 Hundred days after date, according to the conditions of a certain
 promissory Note this day Executed and delivered by the said
 George H Smyder to the said party of the second part, and
 this Conveyance shall be void if such payment be made
 as herein specified but if default be made in the payment
 or any part thereof as above provided, then it shall be lawful
 for the said party of the second part, their his Executors
 administrators and assigns at any time thereafter to
 sell the premises hereby granted or any part thereof in
 the manner prescribed by law, and out of all the
 moneys arising from such sale to retain the amount
 then due for principal and interest together with the costs
 and charges of making such sale and the attorneys fees
 for foreclosure, and the surplus if any then be shall be paid
 by the party making such sale and demand to the said
 G H Smyder his heirs or assigns. In Witness whereof the party
 of the first part has hereunto set his hand and seal the day and
 year first above written.

G H Smyder *Seal*
 Edward