

This Indenture made this seventh day of February in the year of our Lord One thousand Eight hundred and fifty nine, between Henry Wittenbrink and his wife of Lawrence Douglas County Territory of Kansas of the first part, and Maurice Hartmann of the same place of the second part Witnesseth, that the said party of the first part for and in consideration of the sum of One Hundred Dollars the receipt whereof is hereby acknowledged doth 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 Douglas County Kansas Territory, to wit: Lot Number ten (10) on Delaware Street and the house thereon, together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining both in law and equity. This Grant is intended as a Mortgage to secure the payment of the sum of One Hundred Dollars with interest at the rate of four per cent per month according to the conditions of a certain promissory Note this day Executed and delivered by the said Henry Wittenbrink 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 payment of any part thereof, as above provided, then it shall be lawful for the said party of the second part 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 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 attorney's fees for foreclosure and the surplus if any there shall be paid by the party making such sale on demand, to the said Henry Wittenbrink his heirs or assigns. In Witness whereof the party of the first part has hereunto set their hands and seals the day and year first above written.

Henry Wittenbrink Seal
 Signed, Sealed and delivered in presence of
 of Garynolds

Territory of Kansas Douglas County SS = On this 7th day of February A.D. 1859 before me a Notary Public in and for said County Came Henry Wittenbrink to me well known to be the person described in and who Executed the above conveyance as parties thereto and acknowledged the same to be their own free act and deed. She the said Fredenka his wife being by me first made acquainted with the contents of said instrument upon an Examination apart from her said husband acknowledged.