

in the manner prescribed by law, appraisement hereby waived or not, at the option of the party of the second part, his executors administrators or assigns; 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 overplus if any there be, shall be paid by the party making such sale on demand, to the said parties of the first part, their heirs or assigns.

In Witness Whereof, The said parties of the first part, have hereunto set their hands and seals the day and year last above written,

James Tully	{ seal }
Martha E. Tully	{ seal }
William Smith	{ seal }
Marica F. Smith	{ seal }

State of Kansas }
County of Douglas }³³

Be it Remembered That on this 23^d day of April, A. D. 1881, before me a Notary Public in and for said County and State came James Tully and Martha E. Tully his wife, and William Smith & Marica F. Smith his wife, to me personally known, to be the same persons who executed the foregoing instrument, and duly acknowledged the execution of the same.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

{ To } Joseph E. Riggs
My Commission expires March 1882 } Notary Public

Recorded April 25th 1881 at 3³⁰ P M

A. H. Howell
Register of Deeds