

all the estate title and interest of the said parties of the first part therein. And the said parties of the first part do hereby covenant and agree that at the delivery hereof they are the lawful owners of the premises above granted and seized of a good and indefeasible estate of inheritance therein free and clear of all incumbrances.

This Grant is intended as a Mortgage to secure the payment of the sum of one hundred and twenty Dollars according to the terms of one certain promissory note this day executed and delivered by the said Thomas Choteau 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 such payment or any part thereof or interest thereon or the taxes or if the insurance is not kept up thereon then this conveyance shall become absolute and the whole shall become due and payable and it shall be lawful for 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 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 money 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 surplus if any thereof shall be paid by the parties making such sale on demand to the said parties of the first part their heirs and 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.

Thomas Choteau { Seal }
 Pernilia Choteau { Seal }

State of Kansas }
 Douglas County } ss.

Be it Remembered That on this twentieth day of December A. D. eighteen hundred and eighty one before me a Notary Public in and for the said County and State came Thomas Choteau and Pernilia Choteau 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.

B. H. Menger Notary Public.

Commission expires 23rd April 1885

Recorded December 22nd. 1881 at 11-55 o'clock A. M.

L.S.

W. H. Menger
 Register of Deeds