

part his heirs and assigns forever, the following tract or parcel of land situated in the County of Douglas and State of Kansas, described as follows to wit:

The South west quarter of the South east quarter of Section twenty three (23) in Township fourteen (14) of Range nineteen (19). The parties above named are the sole heirs of Berri Elston deceased, with the appurtenances and all the estate, title and interest of the said parties of the first part therein above granted, and seized of a good and indefeasible estate of inheritance therein; that they have good right to sell and convey said premises.

This Grant is intended as a Mortgage to secure the payment of the sum of Forty Three & $\frac{75}{100}$ Dollars according to the terms of five certain mortgage notes this day executed by the said Parties of the first part all dated November 30th 1885, payable to Edward Russell or order, at the Merchants Bank in Lawrence Kansas, with New York Exchange.

Now, If such payment be made as herein specified, this conveyance shall be void, and shall be released upon demand of the parties of the first part. But if default be made in the payment of said principal sum, or any part thereof, or any interest thereon, or in the taxes or assessments, or if default be made in the payments upon the first mortgage or any agreement therein, then this conveyance shall become absolute and the whole of said principal and interest shall immediately become due and payable at the option of the party of the second part, and in case of such default of any sum covenanted to be paid for the period of ten days after the same becomes due, the said first parties agree to pay to said party and his assigns, interest at the rate of 12 per cent. per annum computed annually on said notes from the date thereof to the time when the money shall be actually paid, and any payment made on account of interest shall be credited in said computation, so that the total amount of interest collected shall be and not exceed the legal rate of 12 per cent.