

interest of the said parties of the first part therein. And the said Rufus A. French and Nellie French 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 encumbrances, save and except the sum of \$300 balance owing and unpaid on a mortgage dated 20th November 1883 made by parties of first part in favor of Jane C. Simpson and which parties of first part covenant and agree to pay off & have discharged on 20th Nov. 1886 when same matures.

This Grant is intended as a Mortgage to secure the payment of the sum of Five hundred Dollars according to the terms of a certain Promissory note this day executed and delivered by the said Parties of the first part to the said party of the second part, payable twelve months after date to the order of said party of second part at Merchant Bank at Lawrence with interest at ten percent per annum payable semiannually, and this conveyance shall be void if such payments 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 amount shall become due and payable, and it shall be lawful for the 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 moneys arising from such sales, 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 there be, shall be paid by the party 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 first above written.

R. A. French ²⁰ (seal)
Nellie French (seal)

State of Kansas }
County of Douglas } ss.

Be it remembered, That on this 22nd day of September A.D. 1886 before me L. B. L. Polk a Notary Public in and for said County and State came Rufus A. French and Nellie