

and State came Elvin Brooks and Melvina Brooks 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 set my hand and affixed my official seal on the day and year last above written.

(Signature)

W. C. Ralston

My Commission Expires Oct 23 1885

Notary Public

Recorded June 2, 1885 at 11th o'clock A.M.

James Brooks
Register of Deeds

This Indenture, Made this 2^d day of June in the year of our Lord, one thousand eight hundred and eighty eight, between David Toriton or Fountain and wife Mary Toriton or Fountain of Lawrence in the County of Douglas and State of Mo of the first part, and B. B. Power of the second part

Witnesseth, That the said parties of the first part, in consideration of the sum of Sixty, 60⁰⁰ Dollars to them duly paid, the receipt of which is hereby acknowledged, have sold, and by these presents do grant, bargain, sell and mortgage to the said part of the second part, his heirs and assigns forever, all that tract or parcel of land situated in the County of Douglas and State of Kansas, described as follows, to wit:

Lot ninety (90) New Jersey Street in the City of Lawrence with the appurtenances, and 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 Sixty 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 part 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

For Release and Discharge 48