

known to me to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of the same.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year last above written.



My Commission Expires Sept. 13, 1892
Recorded Oct. 11, 1888 at 3²⁵ o'clock P.M.

Wm. T. Sinclair

Notary Public

James Brooks
Register of Deeds

This Indenture, Made this Ninth day of October in the year of our Lord one thousand eight hundred and Eighty Eight between J. M. Shively & Mary Shively his wife of Marion in the County of Douglas, and State of Kansas, of the first part, and Mary L. Pomeroy of the second part:

Witnesseth, That the said parties of the first part, in consideration of the sum of Six hundred 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 party of the second part, her 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:

The South East quarter of Section Three (3) Township Twelfth (14) Range Eighteen (18) with appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said J. M. Shively does hereby covenant and agree that at the delivery hereof he is the lawful owner of the premises above granted and seized of a good and undivided estate of inheritance therein, free and clear of all incumbrances and he does further expressly waive all benefits of Homestead provided by Section 9, Article 15 of the Constitution of the State of Kansas or any statute in pursuance thereof. This Grant is intended as a Mortgage to secure the payment of the sum of One Thousand Dollars, according to the terms of one certain Note this day executed and delivered by the said J. M. Shively & Mary Shively to the said Mary L. Pomeroy, payable at the office of C. Groves & Son Lawm. as follows, to wit:

The following is endorsed on the original instrument
In consideration of full payment of the within mortgage
I hereby release the same this 21 day of Sept 1893
Mary L. Pomeroy
Recorded September 21st 1893

James Brooks
Register of Deeds