

three certain promissory notes in writing to said party of the second part, as follows: said notes being for \$100.00 One hundred dollars each, and payable to the order of said James Degart in one, two, and three years respectively after date, with interest from date at the rate of seven per cent per annum, and also whereas the said Phoebe Jane Jackson has this day executed and delivered to said James Degart her two other certain notes for One hundred dollars each, and payable in four and five years respectively after date with interest from date at the rate of seven per cent per annum, said last two notes being payable to James Degart and being now negotiable.

Now if said parties of the first part shall pay or cause to be paid to said party of the second part his heirs or assigns, said sum of money in the above described notes mentioned, together with the interest thereon according to the terms and tenor of the same, then these presents shall be wholly discharged and void; and otherwise shall remain in full force and effect. But if said sum or sums of money, or any part thereof, or any interest thereon, is not paid, when the same is due, and if the taxes and assessments of every nature which are or may be assessed and levied against said premises or any part thereof are not paid when the same are by law made due and payable, then the whole of said sum and sums, and interest thereon, shall, and by these presents become due and payable, and said party of the second part in addition to his right to foreclose, shall be entitled to the possession of said premises appraisement waived or not at the option of party of the second part his exrs. adms. or assigns.

In Witness Whereof the said party of the first part has hereunto set his hand the day and year first above written.

Attest  
B. G. Horton  
Henry Jackson

Phoebe J. Jackson

State of Kansas, Douglas County, ss:

Be it Remembered That on this 13 day of October A.D. 1859 before me the undersigned, a Notary Public in and for the County and State aforesaid, came Phoebe J. Jackson who is personally known to me to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

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



D. L. Alford Notary Public

Term Expires Mch 15. 1859

Recorded Sept 10. 1859 at 10<sup>th</sup> o'clock A.M.

Samuel Brooks  
Register of Deeds.