

In Witness Whereof. The said parties of the first part have hereunto set
hands and seals the day and year last above written
Signed, sealed and delivered in the presence of

Witnesses,
Charles Totholy
State of Kansas.

Rachel Bailey [seal]

Josiah Bailey [seal]

County of Douglas, } ss

Be it Remembered, That on this 31st day of August A.D. 1859 before me H. Carr a Notary Public in and for said County and State came Rachel Bailey and Josiah Bailey her husband 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.



H. H. Carr

Notary Public

My Commission Expires July 13th 1863.

Recorded September 13, 1859 at 11⁵³ o'clock A.M.

James Brooks
Register of Deeds.

This Indenture Made this 10th day of September A.D. 1859, between E. W. Benedict and J. S. Benedict his wife of Shawnee County, in the State of Kansas of the first part, and Henry H. Arends of Douglas County, in the State of Kansas of the second part.

Witnesseth That said parties of the first part, in consideration of the sum of seven hundred and fifty (\$750⁰⁰) and, no Dollars the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto said party of the second part, his heirs and assigns, all the following described Real Estate, situated in Douglas County, and State of Kansas to-wit: Lot No. Seventy six (76) on New Hampshire Street in the City of Lawrence Kansas To have and to hold the same, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever.

Provided, Always, And these presents are upon this express condition, that whereas said E. W. Benedict and J. S. Benedict his wife have this day executed and delivered a certain promissory note in writing to said parties of the second part, of which the following is a copy.

\$750⁰⁰

Topeka Kan. Sept. 10th 1859.

Four years and five Mo. after date we promise to pay to the order of

In consideration of full pay-
ment of the within mortgage
I hereby release the same this
25th day of Aug. 1859.....

Henry H. Arends
Attest Aug 25. 1859 O. W. Carmean

Deputy Register of Deeds