

JOURNAL CO. LAWRENCE, KAN.

This Indenture, Made this first day of September in the year of our Lord one thousand eight hundred and ninety four between John C. Staib, a widower of in the County of Douglas and State of Kansas of the first part, and William T. Sinclair, of Lawrence, Kansas of the second part,

Witnesseth, That the said party of the first part in consideration of the sum of Fifteen Hundred DOLLARS, to him duly paid, the receipt of which is hereby acknowledged, hath sold and by these presents doth grant, bargain, sell and mortgage to the said party 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: The North East Quarter of Section No Thirty-two (32), in Township No Fourteen (14) South, of Range No Twenty-one (21) East of the 6th PM., containing 160 acres of land, more or less and being the homestead of the said party of the first part.

with all the appurtenances, and all the estate, title and interest of the said party of the first part therein. And the said

doth 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 indefeasible estate of inheritance therein free and clear of all incumbrances, and that he will warrant and defend the same in the quiet and peaceable possession of said second party, his heirs and assigns forever, against all persons lawfully claiming the same.

This grant is intended as a Mortgage to secure the payment of the sum of

Fifteen Hundred Dollars according to the terms of one certain mortgage note this day executed and delivered by the said party of the first part to the said party of the second part: due in five years from date, with interest from date to maturity or default as evidenced by coupons attached to said note, and interest after maturity or default until fully paid, at the rate of ten per cent per annum.

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 said 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 sales, and the overplus, if any there be, shall be paid by the party making such sale on demand to the said party of the first part, his heirs and assigns.

In Witness Whereof, The said party of the first part, hath hereunto set his hand and seal the day and year first above written.

Signed and delivered in presence of

John C. Staib

(SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

STATE OF KANSAS, } ss.  
County of Douglas

Be it Remembered, That on this 1<sup>st</sup> day of September, A. D. 1894, before me J. A. Night, a Notary Public in and for said County and State, came John C. Staib, a widower to me personally known to be the same person— 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.

My commission expires April 21 1895

Recorded Sept A. D. 1894, at 30 o'clock P. M.

J. A. Night

Notary Public.

James Brooks

Register of Deeds.

This following is enclosed with the original instrument:  
The note herein described having been paid in full, this mortgage is hereby released,  
and the lien hereby created is discharged. As witnessed my hand, this 1<sup>st</sup> day of Sept. A. D. 1894  
Samuel M. Mosher

Recorded January 17-1895  
By William T. Sinclair, Register of Deeds.

See Book 46 page 679 for assignment