

mortgage, and it shall be lawful for the 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 waived or not, at the option of the party of the second part, and out of all the moneys arising from such sale to retain the amount then due or to become due according to the conditions of this instrument, and interest at ten per cent. per annum from the time of said default until paid, together with the costs and charges of making such sale.

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Jesse Whitman [Seal]
Elizabeth Whitman [Seal]

State of Kansas }
Douglas County } ss.

Be it Remembered, That on this 10th day of September A.D. 1895 before me a Notary Public in and for said County and State, came Jesse Whitman and Elizabeth Whitman his wife to me personally known to be the same persons described in, and who executed the foregoing mortgage, and duly acknowledged the execution thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

E. J. B.

C. M. Wauter

My commission expires January 23, 1896.

Notary Public

Recorded Sept 10, 1895 at 3 o'clock P.M.

James Brooks
Register of Deeds

This Indenture, Made this 14th day of September in the year of our Lord one thousand eight hundred and 95 between Emily S. Simmons and Chas. J. Simmons her husband of Lawrence in the County of Douglas and State of Kansas, of the first part, and Harry B. Simmons of the second part. Witnesseth, that the said parties of the first part, in consideration of the sum of Two thousand 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, 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: South $\frac{1}{4}$ of Lot No 40 and Lots 42 and 44 on New Hampshire St. City of Lawrence with