

This Indenture, Made this 9th day of October in the year of our Lord one thousand eight hundred and ninety four between Mood I. Butler and Emma Butler his wife of Lawrence in the County of Douglas and State of Kansas of the first part, and William I. Sinclair of same place of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Three 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 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: Lot No One Hundred and Thirty Seven (137) on Wayne Street, in Block No Forty Two (42) in that part of the City of Lawrence known as West Lawrence, being the homestead of the said parties of the first part, who hereby agree to maintain \$500 insurance upon the buildings now on or to be erected on said lot, during the existence of this loan, for benefit of second party, his heirs or assigns.

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said parties of the first part do hereby covenant and agree that at the delivery hereof they are the lawful owners of the premises above granted, and seized of a good and indefeasible estate of inheritance therein free and clear of all incumbrances, and that they will warrant and defend the same in the quiet and peaceable possession of 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 Three Hundred Dollars being part purchase money of above described premises according to the terms of one certain Mortgage note this day executed and delivered by the said parties of the first part to the said party of the second part: due in five years from date, with interest from date to maturity as evidenced by coupons attached to said note, and interest after maturity at the rate of ten per cent per annum until fully paid. 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 therefor, 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 for making such sales, and the overplus, if any there be, shall be paid by the party making such sale on demand to the said parties of the first part, their heirs and assigns.

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

Signed and delivered in presence of

Mood I. Butler (SEAL.)

Emma Butler (SEAL.)

(SEAL.)

(SEAL.)

STATE OF KANSAS, } ss.
County of Douglas

Be it Remembered, That on this 9th day of October, A. D. 1894, before me, L. A. Night, a Notary Public in and for said County and State, came Mood I. Butler and Emma Butler his wife 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.

My commission expires April 21 1895

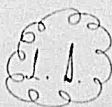
Recorded Oct 9 A. D. 1894 at 10 o'clock A. M.

Notary Public.

Register of Deeds.

The following is indorsed on the original instrument:
In consideration of full payment of the within mortgage
I hereby release the same this 24th day of April 1895
Wm. I. Sinclair

Recorded April 25th 1895
James Brooke
Register of Deeds



L. A. Night
James Brooke