

This Indenture, Made this 15<sup>th</sup> day of November in the year of our Lord One thousand eight hundred and ninety four between Holland Wheeler and Martha E. Wheeler his wife of Lawrence in the County of Douglas and State of Kansas of the first part, and Francis J. Bigger of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Seven Hundred and fifty \$ 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: lots Eighty two (82) Eighty four (84) and Eighty six (86) Block Fifteen (15) West Lawrence in the City of Lawrence

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

This grant is intended as a Mortgage to secure the payment of the sum of Seven Hundred and fifty \$ Dollars according to the terms of one certain Promissory note this day executed and delivered by the said Holland and Martha E. Wheeler to the said party of the second part: payable three (3) years from date at the Douglas County Bank Lawrence Kansas with interest at the rate of 9% per annum payable semi annually

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 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 Holland Wheeler his heirs and assigns.

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

Signed and delivered in presence of  
Bessie Emick Holland Wheeler (SEAL.)  
J. H. Morrison Martha E. Wheeler (SEAL.)  
STATE OF KANSAS, } ss.  
County of Douglas

Be it Remembered, That on this 30<sup>th</sup> day of November, A. D. 1894, before me, N. E. Benson, a Notary Public in and for said County and State, came Martha E. Wheeler wife of Holland Wheeler

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 Jan - 15<sup>th</sup> 1895 N. E. Benson Notary Public.

Oklahoma Territory }  
County of Osage }  
Be it remembered that on this 21 day of November 1894 before me a Notary Public in and for said County & Territory came Holland Wheeler to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

James H. Morrison Notary Public  
James Brooks Register of Deeds  
Recorded Dec 1, 1894 at 2 o'clock P.M.

The following is endorsed on the original instrument  
The Note herein described having been paid in full  
this mortgage is hereby Released and the lien thereby  
created is discharged. As witness my hand this 20<sup>th</sup> day  
of May 1905. Francis J. Bigger

Recorded June 23<sup>rd</sup> 1905  
W. W. Denning  
Register of Deeds