

**This Indenture**, Made this Twenty third day of February, in the year of our Lord one thousand eight hundred and ninety five, between Ella Gay and Charles E. Gay both single of Echo, in the County of Douglas and State of Kansas, of the first part, and William Newlin of the second part,

**Witnesseth**, That the said parties of the first part in consideration of the sum of Six 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: The North half (½) of the East quarter of Section Number One, being a strip in the South West corner thereof or Road East 1<sup>st</sup> Street, Road No. 1, and also the Northeast corner of the South East quarter of Section Number One, being a strip on the North and thereof or Road North 4<sup>th</sup> Street, Road No. 1, and also the following begins at the North West corner of the North West quarter (¼) of Section Number One, thence running back to Road No. 1, to a branch thence turning along said branch to the North line of said section three rods, to begining all in Township 10, Range 18, containing sixteen acres, also begins at the South East corner of the South East quarter of Section Number Eighteen, Township 10, Range 18, running North forty-one rods, thence East eighteen rods, East forty-one rods, East eighteen rods to be with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said

Ella Gay and Charles E. Gay

do hereby covenant and agree that at the delivery hereof they are 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 Excepting our Mortgage of Two thousand Dollars

This grant is intended as a Mortgage to secure the payment of the sum of Six hundred Dollars according to the terms of Two certain Notes this day executed and delivered by the said Ella Gay and Charles E. Gay to the said party of the second part: his heirs or assigns.

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 Ella Gay and Charles E. Gay 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*

John M. Newlin

Ella Gay (SEAL.)

Charles E. Gay (SEAL.)

(SEAL.)

STATE OF KANSAS, { ss.  
County of Douglas

(SEAL.)

**Be it Remembered**, That on this 7<sup>th</sup> day of February, A. D. 1895, before me, John M. Newlin, a Notary Public in and for said County and State, came Ella Gay and Charles E. Gay

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 28, 1895 John M. Newlin  
Recorded 116 A. D. 1895, at 4 o'clock P.M. Notary Public.

James Brooks  
Register of Deeds

Recorded April 18<sup>th</sup> 1900  
Register of Deeds