

This Indenture, Made this Eighteenth day of June in the year of our Lord one thousand eight hundred and ninety four between Thos M. Gerson and Lydia Gerson his wife of Neuro in the County of Neuro and State of California of the first part, and Robert Montoye of the State of Kansas of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Four 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 East half of the North East Quarter of Section number One (1) Township thirteen (13) Range Eighteen (18)

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said Thos M. Gerson hereby covenant and agree that at the delivery hereof him 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

This grant is intended as a Mortgage to secure the payment of the sum of Four hundred Dollars and interest thereon according to the terms of one certain Note this day executed and delivered by the said Thos M. Gerson and Lydia Gerson to the said party of the second part:

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 Thos M. Gerson his 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

O. L. Everts

Thos M. Gerson

(SEAL.)

Lydia Gerson

(SEAL.)

(SEAL.)

(SEAL.)

STATE OF KANSAS,

SS.

County of _____

Be it Remembered, That on this _____ day of _____, A. D. 189____, before _____, a Notary Public in and for said County and

State, came _____

_____ 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 _____ 189____

Notary Public

State of California }
County of _____ } ss

On this 7th day of Feb in the year one thousand eight hundred and ninety six before me O. L. Everts, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared Thos M. Gerson and Lydia Gerson (his wife known to me to be the persons described in, whose names are subscribed to and who executed the within instrument, and they acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand, and affixed my official seal, at my office in the County of Neuro, the day and year in this Certificate first above written.

O. L. Everts

O. L. Everts

Notary Public in and for County of Neuro, State of California

Recorded Feb 29, 1896 at 2 o'clock PM.

James Brooks
Register of Deeds

Following is returned on Original Instrument
 In consideration of full payment of the within mortgage
 Shanty release its same this 6 day of June 98
 Robert Montoye
 Recorded Jan 8, 1898
 By Fred Brooks Deputy Register of Deeds