

JOURNAL CO., LAWRENCE, KAN.

This Indenture, Made this 2<sup>d</sup> day of March in the year of our Lord one thousand eight hundred and ninety 97 between Hugh A. Allen and Mary Allen his wife of Laurie in the County of Douglas and State of Kansas of the first part, and Benny F. Smith of the second part,

**Witnesseth**, That the said parties of the first part in consideration of the sum of Two 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 South half (1/2) of the following described tract, commencing on the West line of the Northeast quarter of Section Six (6) Township Thirteen (13) S. of Range Twenty (20) East at a point distant twelve (12) chains North of the South west corner of said quarter section, thence running East four and 1/2 chains (4 1/2); thence South four and 1/2 chains (4 1/2); thence West four (4) chains (4); to the West line of said quarter section; thence North four (4) chains (4) to the beginning & across more or less. This mortgage being given to secure the payment of a portion of the purchase money for said above described premises.

And the said parties of the first part 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.

This grant is intended as a Mortgage to secure the payment of the sum of Two Hundred (\$200) Dollars according to the terms of One certain Promissory Note this day executed and delivered by the said Hugh A. and Mary Allen to the said party of the second part: payable on or before March 1<sup>st</sup> 1897 with interest at the rate of 8% per annum

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 Hugh A. and Mary Allen their 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

Alfred WhitmanHugh A. Allen

(SEAL.)

Mary A. Allen

(SEAL.)

(SEAL.)

(SEAL.)

STATE OF KANSAS,

County of Douglas } ss.

Be it Remembered, That on this 2<sup>d</sup> day of March, A. D. 1896, before me, Alfred Whitman a Notary Public in and for said County and State, came Hugh A. Allen and Mary Allen 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 July 17 1899Recorded March 2<sup>d</sup> A. D. 1896 at 3:30 o'clock P. M.Alfred Whitman

Notary Public.

James Brooks

Register of Deeds.

The following is indorsed on the original instrument.  
The note herein described having been paid in full this mortgage is hereby released, and the lien thereby created discharged.  
As witness my hand, this 19 day of January, 1897  
Benjamin S. Smith

Recorded Jan 19, 1897  
By Fred Brooks, Register of Deeds

