

This Indenture, Made this First day of July A. D. 1896, between
B. R. Fogarty
 of Douglas County, in the State of Kansas of the first part, and
Percival W. Smith
 of Jackson County, in the State of Missouri of the second part:

Witnesseth, That said part y of the first part, in consideration of the sum of
Three Hundred Fifty ⁴⁰/₁₀₀ AND ¹⁰⁰/₁₀₀ DOLLARS,
 the receipt of which is hereby acknowledged, do ss. by these presents, grant, bargain, sell and convey unto said part y of
 the second part, his heirs and assigns, all the following described REAL ESTATE, situated in
 Douglas County, and State of Kansas, to-wit:-

All of West half of South West fractional quarter of section No thirtyone (31) in township
 No thirteen (13) south of range No Eighteen (18) East of the sixth P.M. and the following described prop-
 erty, Beginning at the intersection of the Lawrence and Emporia State Road, With the north line of the North
 West quarter of section six (6) in township No fourteen (14) south of range No Eighteen (18) East of
 sixth P.M. in Douglas County, Kansas Running thence westerly with the north line of said quarter
 section to the North East corner of a twenty five (25) acre in said quarter section owned by Estate of A. J.
 Fogarty thence running south with East line of land belonging to the Fogarty Estate to the center of said
 Lawrence and Emporia Road thence northeasterly with the center of said road to the place of begin-
 ing containing six acres more or less. B. R. Fogarty of Land in Douglas County, Kansas.
 To Have and to Hold the Same, Together with all and singular the tenements, hereditaments and
 appurtenances thereunto belonging, or in anywise appertaining, forever:-

Provided, Always, And these presents are upon this expressed condition, that whereas said
B. R. Fogarty

has this day executed and delivered six certain promissory notes in writing to said part y of the second part,
 of which the following are copies: Richland Kansas July 1st 1896 th or before two years after
 date I promise to pay to the order of Percival W. Smith at Watkins National Bank Lawrence
Kansas One Hundred Dollars for value rec'd, with interest from date at the rate of 7 percent
 per annum interest payable annually. Interest at the rate of 8 percent after maturity if not
 paid when due. Five notes for fifty Dollars each payable an or before three (3) four (4) five (5)
six (6) and seven (7) years after date to the order of Percival W. Smith at Watkins National Bank
Lawrence Kansas, for value received, with interest from date at the rate of 7 percent
 per annum. Interest payable at maturity. signed B. R. Fogarty

Now, If said part y of the first part shall pay or cause to be paid to said part y of the second part, y heirs
 or assigns, said sum of money in the above described notes mentioned, together with the interest thereon, according to the
 terms and tenor of the same, then these presents shall be wholly discharged and void; and otherwise shall remain in full force
 and effect. But if said sum or sums of money, or any part thereof, or any interest thereon, is not paid, when the same is due,
 and if the taxes and assessments of every nature which are or may be assessed and levied against said premises or any part
 thereof are not paid when the same are by law made due and payable, then the whole of said sum and sums, and interest thereon,
 shall, and by these presents become due and payable, and said part y of the second part shall be entitled to the possession of
 said premises.

In Witness Whereof, The said part y of the first part has hereunto set his hand
 the day and year first above written.

B. R. Fogarty

STATE OF KANSAS, } ss:
Shawnee County,

Be it Remembered, That on this First day of July A. D. 1896, before me the
 undersigned, a Notary Public in and for the County and State aforesaid, came
B. R. Fogarty, a single man

who is personally known to me to be the same person who executed the within instru-
 ment of writing, and such person has duly acknowledged the execution of the same.

In Testimony Whereof, I have hereunto set my hand, and affixed my Notarial
 Seal, the day and year last above written.

Albert Neese

Notary Public

Recorded July 3 A. D. 1896, at 11 o'clock A. M.

Term expires June 21 1897

James Brooks Register of Deeds

The following is endorsed on the original instrument
 Received of B. R. Fogarty the within named mortgage, the sum
 of Three hundred fifty ⁴⁰/₁₀₀ Dollars, in full satisfaction of the
 within mortgage.
 Jan 29 - 1902
 Recorded Feb. 14th 1902
 By W. J. Sommers, Deputy
 Register of Deeds
 Shawnee County, Kansas
 (Assigned See Book 39 Page 94)
 Mrs. Mary C. Johnson