

This Indenture, Made this first day of January in the year of our Lord one thousand eight hundred and ninety nine between Lustanus W. Miller, his wife of the City of Lawrence in the County of Douglas and State of Kansas of the first part, and Mrs. Elizabeth Cullen 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 Lot one hundred and eighty-five (185) on Maple Street, in addition No. Two (2) to that part of the City of Lawrence formerly known as North Lawrence, being the homestead of said parties of the first part. The said parties of the first part hereby agree that they will maintain insurance to the amount of \$300. on the building now on or to be erected on said lot during the existence of this mortgage for the benefit of the party of the second part, her heirs or assigns.

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said

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, and that they will warrant and defend the same in the quiet and peaceable possession of said second party, her heirs and assigns forever against all persons, lawfully claiming the same.

This grant is intended as a Mortgage to secure the payment of the sum of Two hundred dollars

according to the terms of One certain Mortgage Note this day executed and delivered by the said Parties of the first part to the said party of the second part:

Due in five years from date, with interest from date to maturity as evidenced by coupon attached thereto, and in event of irregularity or default at the rate of ten per cent per annum until fully paid in cash or by other property to be described hereafter, 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, her 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, her 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 of the second part, her heirs and assigns.

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

Signed and delivered in presence of

Witnesses  
Antoinette Brown  
STATE OF KANSAS,  
County of Douglas } SS.

Lustanus W. Miller (SEAL.)  
Lizzie V. Miller (SEAL.)  
mark (SEAL.)  
(SEAL.)

Be it Remembered, That on this 1<sup>st</sup> day of June, A. D. 1899, before me, Joseph E. Rigg, a Notary Public in and for said county and State, came Lustanus W. Miller and Lizzie V. Miller, his wife, 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 March 28, 1901  
Recorded June 16 A. D. 1899, at 12 o'clock M.

Joseph E. Rigg  
Notary Public  
G. B. Saxman  
Register of Deeds.