

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 do become due and payable and said party of the second part shall be entitled to the possession of said premises. And said parties of the first part further agree upon default of the above covenants and conditions or any or either of them to pay the sum of Fifty Dollars to the mortgagee or his assigns as attorneys fees for the foreclosure of this mortgage which sum shall be a lien upon said premises added to the amount of said obligations and secured by these presents and shall be included in and operate as a part of the judgment upon foreclosure of this mortgage. All appraisement and stay laws are hereby expressly waived.

And the said parties of the first part for themselves and their heirs do hereby covenant to and with the said party of the second part his executors administrators or assigns that they are lawfully seized in fee of said premises and have good right to sell and convey the same that said premises are free and clear from all incumbrances and that they will and their heirs executors and administrators shall forever warrant and defend the title of the said premises against the lawful claims and demands of all persons whomsoever.

In Witness Whereof The said parties of the first part have hereunto set their hands the day and year first above written.

Mary J. McCullough

James B. McCullough

State of Kansas Douglas County ss.

Be it Remembered That on this eighth day of May A.D. 1883 before me the undersigned a Notary Public in and for the County and State aforesaid came Mary J. McCullough and James B. McCullough her husband who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

In Testimony Whereof I have hereunto set my hand and affixed my official seal the day and year last above written.

[L.S.]

John Charlton Notary Public

Recorded May 9th. 1883 at 10⁰⁰ o'clock a.m. *Alphonso* Register of Deeds