

## MORTGAGE RECORD No. 42.

MORTGAGE Standard Form. JOURNAL CO. Printers, Binders and Blank Book Makers. Lawrence, Kan.

This Indenture, Made this 18<sup>th</sup> day of October in the year of our Lord, seventeen  
hundred and four, between Auguste Dity and Madeline Dity, his wife  
of the Township of Willow Springs in the County of  
Douglas and State of Kansas, of the first part, and E. G. Henley of the second part:

Witnesseth, That the said parties of the first part, in consideration of the sum of  
One Thousand 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 part of the second part her 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 West quarter (S) of Section Eight (8) in Township Number (12) of Range  
Number (12) East of the 6th P.M. in Douglas County, Kansas.

with all the appurtenances, and all the estate, title and interest of the said part of the first part therein. And the said  
Parties of the first part do hereby covenant and agree that  
 at the delivery hereof they are the lawful owners 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  
One Thousand Dollars  
 according to the terms of One certain note this day executed  
 and delivered by the said Parties of the first part to the said part of the second part  
Payable three years after date with interest thereon according to the terms of said  
note and coupons thereto attached.

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 part 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; and out of all the moneys arising from  
 such sales to retain the amount then due for principal and interest, together with the cost and charges of making such sales, and the overplus, if  
 any there be, shall be paid by the part of making such sale, on demand, to said Parties of the first part their  
 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, Sealed and Delivered in Presence of

Jennie Watt

Auguste Dity [SEAL]  
Madeline Dity [SEAL]  
E. G. Henley [SEAL]

STATE OF KANSAS,

Douglas County ss.

BE IT REMEMBERED, That on this 18<sup>th</sup> day of Oct. A. D. 1904, before me

Jennie Watt a Notary Public in and for said County and State, came  
Auguste Dity and Madeline Dity, 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 subscribed my name and affixed my official seal on the day and  
 year last above written.

My Commission Expires 30<sup>th</sup> Nov. 1904

Jennie Watt Notary Public.

Filed for Record the 18<sup>th</sup> day of Oct. A. D. 1904, at 2<sup>30</sup> o'clock P.M.

Ed. Armstrong Register of Deeds.  
By Ed. Armstrong Deputy.

The following is a list of the original mortgages  
 of the State of Kansas, having been paid in full, this mortgage  
 is being returned to the State of Kansas, and the  
 original is being kept by the State of Kansas.  
 E. G. Henley

Recorded Oct. 18, 1904.  
 E. G. Armstrong,  
 Register of Deeds.