

## MORTGAGE RECORD No. 43.

OSTAGE Standard Form. JOHNSON, CO., Printers, Binders and Blank Book Makers, Lawrence, Kan.

This Indenture, Made this 22<sup>nd</sup> day of May in the year of our Lord, 1861  
Hundred and six, between Levy H. Walling (and others)  
of Laurance in the County of

*Douglas*

H. S. Clarke

of the second part:

Witnesseth, That the said party of the first part, in consideration of the sum of One hundred and twenty five (\$125)- Dollars, to him duly paid, the receipt of which is hereby acknowledged, he has sold, and by these presents do he grant, bargain, sell and mortgage to the said part y 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 west half of Block Twenty-six (26) West Lawrence, in addition to the City of Lawrence

with all the appurtenances, and all the estate, title and interest of the said part of of the first part therein. And the said Larry H. Walling do and hereby covenant and agree that at the delivery hereof his 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 except a prior mortgage of \$6.00.

This Grant is intended as a Mortgage to secure the payment of the sum of

One hundred and twenty five Dollars  
according to the terms of one certain promissory this day executed  
and delivered by the said Leroy H. Williams to the said party of the second part  
payable three years from date.

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 4 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; 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 4 making such sale, on demand, to said Reynold H. Walcott heirs and assigns

IN WITNESS WHEREOF, The said part 7 of the first part has hereunto set his hand and seal the day and year first above written.

*Signed, Sealed and Delivered in Presence of*

Fred A. Clarke

Leroy M. Walling

[SEAL]

[SEAL.]

[SEAL.]

STATE OF KANSAS.

County of Douglas } SS.

BE IT REMEMBERED, That on this 22<sup>nd</sup> day of May A. D. 1906, before me

\_\_\_\_\_ a Notary Public in and for said County and State, came

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\_\_\_\_\_ 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 subscribed my name and affixed my official seal on the day and year last above written.

My Commission Expires Dec. 28, 2008

W. T. Carpenter  
Notary

*Notary Public.*

Filed for Record the 29 day of May A. D. 1906, at 4<sup>10</sup> o'clock P.M.

A. D. \_\_\_\_\_, at \_\_\_\_\_  
 A. W. \_\_\_\_\_ Register of Deeds  
 B. E. \_\_\_\_\_ Deput

By Elsie Gustafson Deputy.

My last leaving is endorses on the original instrument  
The Note Agency described having been paid in full, this receipt  
is hereby released rec'd the last leaving created & discharged  
Per Witness my hand this 24<sup>th</sup> day of February 1807.  
H. S. Clarke.

Recorded Dec 24<sup>th</sup> 1907.  
W. H. Connelley,  
Register of Deeds.

The following is an extract from the original and fragmentary notes of the Rev. Henry Alford, written from Paris in 1844. He mentions to my father, and the list of names is taken from his account.

11.11.20