

## MORTGAGE RECORD No. 49.

MORTGAGE STANDARD FORM. Gazette Co., Printers, Binders and Blank Book Makers, Lawrence, Kan.

This Indenture, Made this 24th day of July in the year of our Lord nineteen hundred & twelve, between J. L. Cummings and Mabel E. Cummings, his wife of Lawrence in the County of Douglas and State of Kansas, of the first part, and Mary E. Emery, Executor, and Trustee of the second part:

Witnesseth, That the said parties of the first part, in consideration of the sum of Thirty nine 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 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 West half of the Northeast quarter and the Northwest quarter of Section 9, Township 13, Range 19.

with all the appurtenances, and all the estate, title and interest of the said parties 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 subject to a first mortgage for \$1500.00 payable to Ord Klingman, one day after date and date June 20, 1912 This Grant is intended as a second Mortgage to secure the payment of the sum of

according to the terms of One certain promissory note this day executed and delivered by the said parties of the first part to the said party of the second part due one day after date for \$3900 with interest at 6% per annum, first parties to have option of paying 100 or any multiple thereof at any interest paying time 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; 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 party making such sale, on demand, to said parties of the first part the 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

Joseph L. Cummings [SEAL]  
Mabel E. Cummings [SEAL]  
[SEAL]

## STATE OF KANSAS,

Douglas County ss.

BE IT REMEMBERED, That on this 24th day of July A. D. 1912, before me, the undersigned a Notary Public in and for said County and State, came J. L. Cummings and Mabel E. Cummings, 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 subscribed my name and affixed my official seal on the day and year last above written

My Commission Expires January 16th 1914

E. H. Hilkey [SEAL]  
Notary Public.

Filed for Record the 26 day of July A. D. 1912, at 2 o'clock P. M.

Floyd L. Lawrence Register of Deeds.  
Deputy.

This note having been described having been paid in full, this mortgage is hereby released and the same is hereby cancelled. As witness my hand this 26th day of July, 1912.

Recorded Sept 9 1912  
J. Lloyd L. Lawrence  
Register of Deeds

Mary E. Emery  
Executor and Trustee

This mortgage is enforced on the original instrument. The mortgagee hereby described having been paid in full, this mortgage is hereby released and the same is hereby cancelled. As witness my hand this 26th day of July, 1912.

Recorded July 24th 1912  
E. H. Hilkey