

more or less with 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 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 Four Hundred and Twenty (\$420⁰⁰) Dollars according to the terms of a certain promissory note this day, executed and delivered, by the said parties of the first part to the said party of the second part as follows to wit:

Marion Kansas Feb. 7. 1884. Five years after date we promise to pay to the order of Benjamin Borden Four Hundred and Twenty Dollars interest 8% per annum payable annually in advance. ^{H. P. Davidson} Marion Davidson and this conveyance shall be void if such payment be made as herein specified. But if default be made in such payment or any part thereof or interest thereon or the late or if the insurance is not kept up thereon then this conveyance shall become absolute and the whole shall become due and payable and it shall be lawful for said party of the second part his executor 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 his executor administrators or assigns; and out of all the moneys arising from such sale to retain the amount then due for principal and interest together with the costs and charges of making such sale and the surplus if any there be shall be paid by the party making such sale on demand to the said parties of the first part or 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 last above written.

Signed Sealed and Delivered in Presence of } H. P. Davidson 
Wm Mesenhimer } Marion Davidson 

State of Kansas Douglas County ss.

Be it Remembered that on this seventh day