

and all the estate title and interest of the said parties of the first part therein. And the said James A. Deay does hereby covenant and agree that at the delivery hereof he is 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.

This Grant is intended as a Mortgage to secure the payment of sum of Sixteen Hundred and forty (\$1640.00) Dollars balance of purchase money of said premises according to the terms of five certain promissory notes this day executed and delivered by the said James A. Deay to the said party of the second part; 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 taxes then this conveyance shall become absolute and the whole shall become due and payable and it shall be lawful for the said party 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 appraisement hereby waived or not at the option of the party of the second part his executors 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 or 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.

J. A. Deay 
 Rosie E. Deay 

State of Kansas, Douglas County ss.

Be it Remembered that on this 22nd day of April A.D. 1884 before me Vernon H. Harris a Notary Public in and for said County and State came James A. Day and Rosie E. Day his wife to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.