

This Indenture, Made this 28<sup>th</sup> day of August, in the  
year of our Lord one thousand eight hundred and  
eighty four between Joseph Kelso, a midwife; of the first  
part and David G. Swain of the second part:

(3) of Novem  
ber 1851

Witnesseth, That the said party of the first part, for and  
in consideration of the sum of Five hundred (\$500.00 )  
Dollars to him in hand paid by the said party of the  
second part, the receipt whereof is hereby confessed and  
acknowledged has granted, bargained, sold and conveyed  
and by these presents does grant, bargain, sell and convey  
unto the said party of the second part and to his heirs  
and assigns forever, all the following described piece and  
parcel of land, lying and situate in the township of  
Wakarusa, County of Douglas and State of Kansas,

The South half ( $S\frac{1}{2}$ ) of the South west quarter ( $S.W.\frac{1}{4}$ ) of Section Twenty eight (28) Township Thirteen (13) Range nineteen (19).

To have and to hold the same with all and singular  
the hereditaments and appurtenances therunto belonging  
unto the party of the second part and to his heirs  
and assigns forever. And the said Joseph Hele, a  
widower, 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 except a first mortgage of One thousand  
dollars to said D. G. Swain and that he will  
Warrant and Defend the same in the quiet and  
peaceable possession of the said party of the second  
part his heirs and assigns forever, against all persons  
lawfully claiming the same.

Provided Always, And these presents are upon the express condition that whereas the said Joseph Kelsel a widower, is justly indebted unto the said David H. Swain in the principal sum of Five hundred \$500. Dollars lawful money of the United States of America being for a loan thereof on the day and date hereof made by the said David H. Swain to the said Joseph Kelsel, a widower and secured to be paid by one certain promissory note of the said Joseph Kelsel a widower bearing even date herewith, payable to the order of the said David H. Swain three