

of the second part, their 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:

Lot number one hundred and seventy eight (78) on New Hampshire street in the City of Lawrence County and State aforesaid with the appurtenances, and all the estate title and interest of the said parties of the first part therein.

This Grant is intended as a Mortgage to secure the payment of the sum of five hundred Dollars according to the terms of one certain promissory note of even date herewith and signed by J. N. Roberts.

And this conveyance shall be void if such payment be made as is herein specified. But if default be made in said payment, or any part thereof, as provided, then this conveyance shall become absolute and it shall be lawful for said parties of the second part their 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 sale, to retain the amount then due for principal and interest and also for statutory damages in case of protest, together with the costs and charges of making such sale and ten per cent. on the amount secured by this mortgage as a reasonable attorney's fee for foreclosure hereof, and the surplus if any there be, shall be paid by the parties making such sale, to the said J. N. Roberts and Emily S. Roberts their heirs or assigns; and for the said consideration the said parties of the first part hereby waive appraisement of said real estate.

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. N. Roberts Seal  
Emily S. Roberts Seal

State of Kansas }  
County of Douglas }

Be it Remembered, That on this ninth day of January A.D. 1885 before me a Notary Public in and for said County and State came J. N. Roberts and Emily S. Roberts 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.



R. G. Garrison Notary Public