

This Indenture, Made this 26th day of January in the year of our Lord one thousand eight hundred and eighty five between William Sutton and Serena Sutton his wife of Marion in the County of Douglas and State of Kansas of the first part, and Edward Moose of Marion in the County of Douglas and State of Kansas of the second part:

Witnesseth, That the said party of the first part, for and in consideration of the sum of Two hundred and fifty Dollars to them duly paid, the receipt of which is hereby acknowledged have sold and by these presents doth grant, bargain, sell and mortgage to the said party of the second part his heirs and assigns forever, all that tract or parcel of land situate in the County of Douglas and State of Kansas described as follows to wit: The west half of the south west quarter of Section five and the east half of the south east quarter of Section Six in Township fourteen (14) of Range eighteen (18) containing one hundred and fifty acres with the appurtenances and all the estate, title and interest of the said party of the first part therein.

This Grant is intended as a Mortgage to secure the payment of the sum of Two hundred and fifty Dollars according to the terms of one certain Note dated January 26th 1885.

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 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, 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 per cent on the amount secured by this mortgage, as a reasonable attorneys fee for foreclosure hereof, and the surplus if any there be shall be paid by the party making such sale, to the said William Sutton and Serena Sutton their heirs or assigns: and for the said consideration the said party of the first part hereby waive appraisement of said real estate.

In Witness Whereof, The said party of the first part have hereunto set their hands and seals the day and year last above written.

On the original instrument is the following indorsement:

Received payment in full, E. C. Moose

Recorded Oct. 11, 1886

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Register of Deeds