

to the terms and intent of the same then these presents shall be wholly discharged and void and otherwise shall remain in force and effect. But if said sum or sums of money or any part thereof or any interest thereon is not paid when the same is due and if the taxes and assessments of every nature which are or may be assessed and levied against said premises or any part thereof are not paid when the same are by law made due and payable then the whole of said sum and sums and interest thereon shall and by these presents do become due and payable and said party of the second part shall be entitled to the possession of said premises. And said party of the first part further agree upon the default of the above covenants and conditions or any of either of them to pay the sum of ten dollars to the mortgagee or his assigns as attorney's fees for the foreclosure of this mortgage which sum shall be a lien upon said premises added to the amount of said obligation and secured by these presents and shall be included in and operate as a part of the judgment upon foreclosure of this mortgage. All appraisement and stay laws are hereby expressly waived.

And the said party of the first part for himself and his heirs do hereby covenant to and with the said party of the second part his executors administrators or assigns that he is lawfully seized in fee of said premises and has good right to sell and convey the same that said premises are free and clear from all incumbrances and that he will and his heirs executors and administrators shall forever warrant and defend the title of ^{the} said premises against the lawful claims and demands of all persons whatsoever.

In Witness Whereof The said party of the first part has herewith set his hand the day and year first above written.

Signed in Presence of }
L. H. Pierson

James A. McTeer

State of Kansas for,
Douglas County }

Be it Remembered That on this fifth day of June A. D. 1885 before me the undersigned Notary Public in and for the County and State aforesaid came James