

Index
P. 22
15
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

L 5 - 418

P. D. 27
 P. I. 27
 P. L. 612
 C. L. 27
 C. D. 27
 C. I. 27

D. C. Rose and Wife

To

J. M. Bayless.

Mortgage with Power of Sale.

Realty.

Know All Men By These Presents:

That D. C. Rose and Alice M. Rose of Tulsa, D. T. for and in consideration of the sum of Twenty Five Hundred, Sixty and no/100 Dollars, to them in hand paid, and the premises hereinafter set forth, do hereby (grant, bargain and sell) unto J. M. Bayless of Claremore, D. T., and unto his heirs and assigns forever the following property: The West half (1/2) of the Southwest Quarter (1/4) and the South west quarter (1/4) of the North West quarter (1/4), all in Section (29) Twenty nine, Township twenty (20) Range 13 East containing 120 acres more or less and excepting the Santa Fe Rightaway across the North west corner thereof, in the Western District Cherokee Nation Indian Territory. We hereby covenant with the said J. M. Bayless that we will forever warrant and defend the title to said property against all lawful claims.

And I, Alice M. Rose, Wife of the said D. C. Rose for the consideration aforesaid do hereby release unto the said J. M. Bayless all her right of dower and homestead in and to the said lands.

The sale is on the condition that whereas D. C. Rose justly indebted unto said J. M. Bayless in the sum of Twenty five hundred sixty and no/100 Dollars, evidenced by one promissory note of even date bearing 8% interest from date and due July 30th, 1903, Bank of Claremore, Claremore, D. T.

Now, if I shall pay said moneys at the times and in the manner aforesaid, then the above conveyance shall be null and void. And in case of non payment, then the said grantee or assignee shall have power to sell said property at public sale to the highest bidder, for cash at Tulsa Western in the 28 Recording District, of the Indian Territory, public notice of the time and place of sale having first been given 30 days by advertising in some news paper published in said District, by at least two insertions, or by notices posted in ten public places in the District, at which sale the said grantee or assignee may bid and purchase or any third person might do. I hereby authorize the said grantee or assignee to convey said property to anyone purchasing at said sale, and to convey an absolute title thereto, and the title of his deed of conveyance shall be taken as Prima Facie true. And the proceeds of said sale shall be applied, first, to the payment of all costs and expenses attending said sale; second, to the payment of said debt and interest, and the remainder, if any, shall be paid to said grantor. We hereby waive any and all rights of appointment or redemption under the laws of the State of Arkansas, and especially of redemption under the Act of the General Assembly of the State of Arkansas, approved May 8, 1899.

Witness our hands and seals on this 30th day of July 1906.

D. C. Rose

(Seal)

Alice M. Rose

(Seal)

Acknowledgment

Indian Territory, Western District, 28th Recording Dist. ss.

Be It Remembered, That on this day personally appeared before me, the undersigned, a Notary Public within and for the District aforesaid, duly commissioned and acting D. C. Rose to me personally well known as the grantor in the foregoing deed, and stated that he had executed the same for the consideration and purposes therein mentioned and set forth,

And, on the same day, also voluntarily appeared before me the said Alice M. Rose, wife of the