

COMPARE

No. 1725.

P. D. M.
P. L.
C. L.
C. D.
C. I.

Elizabeth Baker, et al.

Do

L. E. Evans.

Mortgage, with power of sale, Realty.

Know all men by these presents:

That Elizabeth Baker and John H. Baker of Collinsville, Ind. do, for and in consideration of the sum of twenty five hundred (\$2500/00) Dollars Dollars, to them in hand paid, and the premises hereinafter set forth, do hereby grant, bargain and sell unto L. E. Evans and unto his heirs and assigns forever, the following property:

Lot Three (3) in Block 59 and Lots Three (3) and Four (4) in Block 69 and Lots Fourteen (14) and Fifteen (15) in Block 49 and Lots Four (4) Five (5) and Six (6) in Block 80 in the incorporated town of Collinsville, S. I. The above is subject to prior mortgages amounting to \$2800/00 and do hereby covenant with the said L. E. Evans that they will forever warrant and defend the title to said property against all lawful claims.

and — wife of the said — for the consideration aforesaid do hereby release unto the said — all — right of dower and homestead in and to the said lands.

This sale is in execution that, whereas Elizabeth Baker and John H. Baker are justly indebted unto said L. E. Evans in the sum of twenty five hundred (\$2500) Dollars, evidenced by Three promissory notes first due one for eight hundred and thirty three and 33/100 Dollars due April seventeen 1907, one for eight hundred and thirty three and 33/100 due Nov. 16-1907 and one for eight hundred and thirty three and 33/100 due 7-16-1908.

Now, if Elizabeth Baker and John H. Baker 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 nonpayment, then the said grantee or assignee shall have power to sell said property at public sale, to the highest bidder for cash, at Collinsville in the Twentyeighth Recording District of the Indian Territory, public notice of the time and place of said 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 his assignee may bid and purchase as any third person might do and do hereby authorizes the said grantee or assignee to convey said property to anyone purchasing at said sale, and to convey an absolute title thereto, and the validity 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 appraisement 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 6, 1899.

Witness our hand and seals on this 12 day of November, 1906.

Witness

W. J. Bellard

W. J. Bellard

Witness to present of Elizabeth Baker.

W. J. Bellard

C. W. Baker

Elizabeth Baker (Seal)

John H. Baker (Seal)

A clerk of the court, Indiana Territory, Twentyeighth Recording District, S. I. Do hereby certify that on this day personally appeared before me the undersigned a Notary Public within and for the district aforesaid, Elizabeth Baker and John H. Baker, to me personally well known as the grantors in the foregoing deed, and stated that they had executed the same for the consideration and purposes therein mentioned, and set forth in the same day, also voluntarily appeared before me the said wife of the said — to me well known and in the absence of her said husband, stated and declared that she had of her own free will executed said deed, and signed and sealed the foregoing instrument of dower and homestead in the foregoing deed for the purposes and considerations therein mentioned, contained and set forth, without compulsion or undue influence of her said husband.

Witness my hand and seal as such Notary Public this 30 day of November, 1906.

(Seal) William Bellard, Notary Public.

Thomas W. Taylor.

Filed for Record Dec. 6, 1906, at 8⁰⁰ a.m.

Attest

deputy clerk ex-officio Recorder.