

one fourth (S.E. $\frac{1}{4}$) and north east one fourth (N.E. $\frac{1}{4}$) of South-east one fourth (S.E. $\frac{1}{4}$) section Thirty-five (35) Township twenty (20) north range twelve (12) east, and plaintiffs being present by attorneys Talley and Harbage and defendant Nora B. Roth (Will Burgess) being present by her attorney O.P. Jones and defendants Andrew Roth, guardian of Daniel W. Burgess and Daniel W. Burgess being present in person and by attorney O.P. Jones.

✓ And it appearing to the satisfaction of the Court that process has been duly and properly served on defendant Daniel W. Burgess by delivering to him in person a copy of said process - on the 18th day of January 1906, and that defendant Andrew Roth, guardian of Daniel W. Burgess a minor, has been duly and properly served with process by delivering to him in person a copy of said summons on the 18th day of January 1906 and that the summons was served on Daniel W. Burgess and Andrew Roth by O. J. Booth Deputy United States Marshal on the 18th day of January 1906; That Nora B. Roth (once Burgess) has duly and formally entered her appearance in this case and designated as her attorney O. P. Jones on the 9th day of February 1907, and that Andrew Roth guardian of Daniel W. Burgess duly and formally designated O. P. Jones as attorney for himself and his minor ward on the 9th day of February 1907, and that defendants have entered a confession of judgment, and asked the court to take such action as in the premises seems fit and that all parties hereto have by their attorneys filed an agreed statement of facts.

And it further appearing to the satisfaction of the court from the petition filed herein and from the agreed statement of facts filed herein and from examination in open court that John S. Burgess deceased was a citizen of the Cherokee Nation