

No. 6043

COMPARED

Dora Willbanks.

To
The Public.

Affidavit.

United States of America,
Indian Territory, Western District ss.

Dora Willbanks, being first duly sworn on oath deposes and says that she is a resident of Tulsa, Creek Nation, Indian Territory, of lawful age and the wife of M. C. Willbanks, who with affiant were the grantors in one certain Warranty Deed purporting to convey Lot Five (5) in Block Eighty-seven (87) City of Tulsa, Creek Nation, Indian Territory, to David Plank and J. W. Plank, his wife. Affiant states that the said Deed had attached thereto a certain agreement in writing, which with said deed was placed in escrow with J. M. Hall, Cashier, of the City National Bank, Tulsa, I. T. until certain conditions contained in the aforesaid agreement should be complied with, then to be delivered to the said David Plank and J. W. Plank his wife.

Affiant states that the conditions of said agreement were not complied with and the said Deed and contract were returned to her by the said J. M. Hall, and that she has carefully and diligently searched for the said contract and caused careful and diligent search to be made in the places where said contract was likely to be found, but has been unable to find the same, and that there was no duplicate or copy and she believes the said contract to be lost.

Affiant states that she is familiar with the terms of said Contract, having read the same, and that the contents of said contract were as follows: Lot 5 Block 87 City of Tulsa, I. T. to be sold David Plank and J. W. Plank in consideration of \$2250.00 of which \$200.00 was to be paid to affiant cash in hand as earnest money and to be used to perfect the title to said lot, the balance \$2050.00, to be paid as soon as the title should be shown to be clear. Affiant further states that a check for \$200.00 was placed with J. M. Hall, Cashier as aforesaid, by the said Planks, but that, he the said Hall utterly refused to turn the check over to the said Dora Willbanks or the proceeds thereof and affiant states that she never received the check or the proceeds thereof nor any part of the sum, mentioned in the said Contract.

Further deponent said not.

Dora Willbanks.

Subscribed and sworn to before me this 6th day of August, 1907,
(seal) Western Dist. I. T.
my commission expires July 24th 1911.

Stonewall, J. Richardson,
Notary Public.

Filed for record Aug 23, 1907 at 4:30 P.M.

Dora Willbanks
Deputy U. S. Clerk & ex-Officio Rec.