

alleges that at the time of the execution by said Monday Lincoln of his deeds to Frank L. Haymes the said Monday Lincoln was a minor and prays that the deeds from Monday Lincoln to Frank L. Haymes and from Frank L. Haymes to E. C. Valentine be cancelled and set aside as clouds upon the plaintiff's title.

I find from the evidence introduced that said Monday Lincoln reached his majority on August 15th 1906, and that he was therefore under both a natural and legal disability at the time of the execution of his deeds to Frank L. Haymes.

That under Section 4 of the Original Agreement and Section 10 of the Supplemental Creek Agreement the deeds executed by said Monday Lincoln during his minority to the said Frank L. Haymes were void and incapable of ratification and was ineffective to convey title to his said allotment to said Frank L. Haymes or to his grantee E. C. Valentine.

That having reached legal age on August 15th 1906, the said Monday Lincoln had a valid and subsisting title both at law and equity which he could legally convey to the plaintiff on September 15th 1906, and that the plaintiff became under such conveyance the owner of said lands and is entitled to have the former deeds to the defendants rescinded, cancelled and set aside as clouds upon his title and I recommend that a decree be entered accordingly.

As to the allowance of damages there is no evidence to maintain the same and I therefore recommend that such relief be denied.

Respectfully submitted

A. D. Davidson

Master in Chancery

Dated at Muskogee this

18th day of October 1907

In the United States Court for the Western District of the Indian Territory at Muskogee & Co.

Charles E. Townsend

Vs.

Plaintiff

Frank L. Haymes and

E. C. Valentine Defendants

Equity Number 7:58

1 decree

The above entitled Cause