

## COURT DECREE.

CIVIL JOURNAL, Saturday, November, 14th, 1908.

Court convened pursuant to adjournment, Hon.

John Caruthers) Judge presiding; Present Hon. John Caruthers, Judge; L. B. Jackson, County Attorney; J. B. Summers District Clerk; Henry Clay King, Sheriff; and Gus C. LeCompte Reporter, and Court being opened in due form the following proceedings were had, to wit:

Louis Peters )  
vs. ) No. 775.  
Nuna Wilson, et al. )

Now on the 13th, day of November, 1908, this Cause comes on to <sup>be</sup> heard by the Court, without the intervention of jury upon the petition of the plaintiff, the answer of the defendant and the report of the special referee filed herein on the 31st day of October, 1908 and there being no report filed to the exceptions of Hon. John G. Ellenghausen Special Referee to whom said cause was referred by former order entered of record in this Court.

Now, Therefore, the Court is pleased to ratify, confirm and approve the report of special referee in all things.

It is further ordered, adjudged and decreed by the Court upon the recommendation of said Special referee that the will heretofore made by one Tewohley Vore, deceased, wherein she bequeathed her entire estate, consisting of an allotment of land, in the Creek Nation, of 160 acres, to the defendant Nuna or Noonley Wilson be and the same is hereby declared null and void except as to the 40 acres known as the homestead of said testatrix Tewohley Vore, which is declared to be good and valid. Therefore it is ordered and adjudged and decreed that so much of said will as conveys the homestead 40 acres to Nuna or Noonley Wilson be and the same is hereby adjudged to be valid and therefore the said Nuna or Noonley Wilson is adjudged to be the by virtue of said will the lawful owner in fee simple of the homestead 40 acres of said Tewohley Vore, deceased, said homestead being described as follows, to wit:

Lot Three (3) and North Half of the SW 4 of the North west 4 of Section Ten (10) Township 17 North, Range 13 East, containing in all 41.85 acres, more or less, and the same is hereby set aside to Nuna or Noonley Wilson, as her separate interest in the estate of Tewohley Vore, deceased, and it is further ordered and adjudged by the Court that as to the surplus allotment of 120 acres of said Tewohley Vore, said Will adjudged by the Court null and void, and the same is therefore set aside and for nothing held and the plaintiff Louisa Peters and the defendant Mahala Leader, the two surviving daughters of the said Tewohley Vore are adjudged and decreed to be the owners in fee simple of the remaining portion of said allotment of land belonging to the said Tewohley Vore, deceased, which is described as follows, to wit:

The North Half of the Southwest Quarter, and the South Half of the Southwest Quarter of the Northwest Quarter and the N2 of the N2 of the SW4 and the N 2 of the S 2 of the N 2 of the SW4 of Section 10, Township 17 North, Range 13 East, also the SW2.50 acres of the SW 9.12 acres of Lot 4, Section 10, Township 17 North, Range 13 East, and the same is therefore hereby set aside to Louis Peters and Mahala Leaders, and each of them is decreed to be the owner of an undivided one half interest in said tract of land, as the sole surviving heirs at law of Tewohley Vore, deceased, McDougal and Wood and Lattimore, Attorneys for Plaintiff, and Mars and Mars attorneys for defendant are allowed a lien on the properties of their respective clients for their reasonable attorneys fees, for services rendered in this cause. John G. Ellenghausen Special referee is allowed a fee of \$25.00 to be taxed as cost.

John Caruthers, Judge.