

(SEAL) W. D. Taylor, Notary Public.

My commission expires July 29th, 1926.

Filed for record in Tulsa County, Okla. on Dec. 7, 1922, at 1:30 P.M. and duly recorded in book 431, page 466; By F. Delman, Deputy, (SEAL) O.D. Lawson, County Clerk.

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COMPARED

## AFFIDAVIT.

State of Oklahoma )  
County of Tulsa ) SS

Rufus A. Underwood of Tulsa, Oklahoma, and being of lawful age, and by me *first* duly sworn according to law, deposes and says:-

That he is now and has been for more than twenty five years last past, well and intimately acquainted with Sadie B. Smith, the widow of the late M. Follett Smith, Enoch F. Smith, Stephen B. Smith, Follett E. Smith, Thomas H. Smith, Granville H. Smith and R. Clark Smith, sons of the late M. Follett Smith and Lou D. Smith, now *Lang*, and Francis L. Smith now *Eby* the two daughters of the late M. Follett Smith, and Sadie B. Smith.

That the said M. Follett Smith's <sup>full</sup> name was Martin Follett Smith, that the M. F. Smith, who made a will dated the 1st day of October, 1911 and filed in the office of the Court of <sup>Tulsa</sup> County, Oklahoma, on the 10th day of June, 1913, is the same person as M. Follett Smith or Martin Follett Smith.

That the following named children were born of the issue of the said <sup>M.</sup> Follett Smith and Sadie B. Smith, to-wit:- Enoch F. Smith, <sup>the eldest son</sup> Stephen B. Smith, the second a son, Lou D. (Smith) *Lang* the third a daughter, Follett E. Smith, the fourth a son, Thomas H. Smith, the fifth a son, Francis H. Smith, the sixth a daughter, now married to Seth G. *Eby*, Granville H. Smith, the seventh, a son, and R. Clark Smith the eighth and last a son, that the above named children constitute all of the children and heirs-at-law of the said M. Follett Smith, that all the persons named as beneficiaries in the will of the said M. F. Smith, are all the heirs-at-law of said decedent.

Affiant further states that he knew all of said parties when they resided near Marietta, Washington County, Ohio, prior to their moving to Tulsa, Oklahoma, Also that he is no relation to any of said parties, that he has no interest in any of the property of said parties, and that the statements and allegations made in this affidavit are within the personal knowledge of the affiant by reason of affiant being a close neighbor and acquaintance of all of the persons herein named for more than twenty five years.

This affidavit is made for the purpose of showing that the testator M. F. Smith, M. Follett Smith, and <sup>Follett</sup> Martin Smith is the one and same person, that he is the father of the persons named, excepting the said Sadie B. Smith, who is the widow of said testator.

Further this deponent saith not.

Rufus J. Underwood.

Subscribed and sworn to before me this 30th day of October, 1922.

My commission expires July 8th, 1923. (SEAL) O.P. Hyde, Notary Public, Tulsa County, Oklahoma,

State of Oklahoma )  
Tulsa County ) SS

Before me the undersigned a Notary Public in and for said county in said State personally appeared the above named Rufus A. Underwood to me known to be the identical person who signed the above instrument and acknowledged to me that he