

218901 C. J. COMPARED

AFFIDAVIT IN RE;

I N THE DISTRICT COURT OF TULSA COUNTY OKLAHOMA.

MACK TAYLOR , AND SUSIE CHENNAULT SPEARS,

PLAINTIFFS,

VS

HIRSHEL BOROCHOFF,

DEFENDANT.

NO. 10, 969 .

AFFIDAVIT--IN RE LOT 16 ---BLK 7 ---FAIRVIEW ADD.

STATE OF OKLAHOMA,)
COUNTY OF TULSA,) SS.

B. KIRKPATRICK, of lawful age and being duly sworn, on oath, says, that he is a practicing attorney at the Tulsa, Oklahoma Bar; and at the present time Assistant County Attorney of Tulsa, County, Oklahoma; that at the time of the filing of a certain action in the District Court of Tulsa County, Oklahoma, styled, " Mack Taylor, and Susie Chennault spears, plaintiffs, Vs Hirschel Borochoff, defendant, No. 10, 969, this affiant was a member of the law firm of Brown & Kirkpatrick, in the City of Tulsa, Oklahoma; that after said action had been filed, and the defendant, Hirschel Borochoff served with summons in said cause said Hirschel Borochoff employed the firm of Brown and Kirkpatrick to represent him the said defendant in said action, and authorized said firm of Brown & Kirkpatrick to enter general appearance for the defendant; that in pursuance of said authority and under said employment, this affiant as a member of said law firm did enter a general appearance for the defendant, Hirschel Borochoff in said action; that on the 11th day of March 1920 this affiant under said authority and employment, did file, in said action, in behalf of the defendant a motion to strike certain parts of plaintiffs' petition; and thereafter, to-wit: On the 22nd day of March 1920, this affiant under said authority and employment by the defendant, appeared in the District court and presented said motion in open Court; that said action sought to quiet title in, and have conveyed to, Susie Chennault Spears, Lot 17 in Block 7 of the Fairview Addition to the City of Tulsa, Oklahoma, and the recovery of usurious interest; that said motion was directed to that part of the petition which sought the recovery of usury in the same action with action for quieting title, and seeking a conveyance.

Further affiant saith naught.

B. Kirkpatrick

Subscribed and sworn to before me this 5th day of Jan'y 1923

My commission Expires Dec. 28, 1925

(SEAL)

Dolly Boatright, Notary Public

State of Oklahoma,)
County of Tulsa.) ss .

Before the undersigned a Notary Public in and for Tulsa County, Oklahoma personally appeared B. Kirkpatrick, to me known to be the identical person who executed the above and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth; and for the purpose of disclosing that the court had jurisdiction of the plaintiffs and defendant in said action, and of the subject matter therein involved.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 5th day of January A. D. 1923.

(SEAL)

Dolly Boatright, Notary Public

My Commission expires Dec. 28, 1925

Filed for record in Tulsa County, Tulsa Oklahoma, Jan. 12, 1923 at 1:30 o'clock P. M. in Book 434, page 179

By Brady Brown, Deputy

(SEAL)

O. G. Weaver, County Clerk