

Stephens, Aetna Life Insurance Co., and Noah Hughes, have not been served, and said cause is therefore, as to said defendants continued for further hearing. The plaintiff, in open court, waives a jury and the court, after reading the pleadings and hearing the evidence submitted, finds that all the allegations and averments contained in the petition filed herein as against the defendant, C. O. Dixon, are true and that there is due from the defendant, C. O. Dixon, to the plaintiff, H. C. Fearnside, the principal sum of \$316.73, together with interest on said amount at the rate of eight per cent per annum from the 24th day of August, 1923, until this date, making a total of interest due since the filing of said suit of \$11.08.

And it further appears that said note provides for the payment of \$50.00 attorneys fees, if placed in the hands of an attorney for collection, or if suit is filed thereon, and that there is now due the sum of \$50.00 attorney's fee, to be added as costs to said cause. And the court further finds that said plaintiff has a lien on said lands and tenements in said petition described by virtue of the mortgage in said petition set out, to secure the payment of said indebtedness, interest and costs, to-wit:

Northeast quarter of the northwest quarter (lot 4)
and the southeast quarter of of the southwest quarter
of section 3, township 13 south, range 18 east, of the
Indian Meridian, in Muskogee County, Oklahoma, according
to the United States Survey,

It is, therefore, considered, ordered and adjudged by the Court that said plaintiff do have and recover of and from the said defendant, C. O. Dixon, the sum of \$316.73, and interest in the sum of \$11.18 together with the sum of \$50.00 as attorneys fees to be taxed as costs, and all costs accrued and accruing herein, and that said judgment shall bear interest at the rate of eight per cent per annum until paid.

It is further ordered and adjudged by the Court that said lands and premises above described, after appraisement and notice, as required by law, be sold to pay said plaintiff, the sum of \$316.73, the amount as aforesaid found due said plaintiff, together with \$11.08 interest, and costs of this action, including attorneys fees as herein provided, and that an order of sale issue to the Sheriff of said County of Muskogee, State of Oklahoma, commanding him to advertise and sell, according to law, after due appraisement of the lands and tenements in said petition described, to-wit:

Northeast quarter of the northwest quarter (lot 4) and
the southeast quarter of the southwest quarter section
3, township 13, North, range 18 east, of the Indian
Meridian, in Muskogee County Oklahoma, according to
the United States Survey,

and to apply the proceeds arising from said sale.

First: In payment of the costs of said sale and this action.

Second: In payment to the said plaintiff of the sum of \$377.81, the amount so as aforesaid found due said plaintiff, together with interest at the rate of eight per cent per annum,

Third: That the residue, if any there be, be paid to said defendants C. O. Dixon,

If the amount derived from said sale is insufficient to satisfy the judgment and costs let execution issue against the defendant for the remainder unpaid.

And it is further ordered and adjudged by this Court that from and after the sale of said lands and tenements, under and by virtue of this judgment and decree that the