

That the plaintiff, Virgil L. DuBois, is the legal owner in fee simple and in actual and peaceable possession of the following described premises, situated in Tulsa County, State of Oklahoma, to-wit:

Lot One (1), in Block Sixteen (16) of McLane Addition to the city of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded plat thereof. and that said plaintiff derives his title as set forth in his petition. COMPARED

That on Tim J. Case and Anna Case made and executed a good and sufficient warranty deed on the 1st day of May, 1922 conveying their right, title and interest in and to the above described premises to Thomas Walker, and that said deed was duly filed of Record in the Office of the County Clerk within and for Tulsa, County, Oklahoma on the 2nd day of May, 1922. That said Thomas Walker and Thelma Walker, his wife of Tulsa County, Oklahoma, on the 5th day of May, 1922, made and executed a good and sufficient Warranty deed, conveying their right, title and interest in and to said property hereinbefore described to J.H. Bernard, and that thereafter on the 25th day of May, 1922, said J. H. Bernard by good and sufficient Warranty deed conveyed the said property to A.D. Owings, and that thereafter the said A. D. Owings, by good and sufficient Warranty deed conveyed said property hereinbefore described to the plaintiff Virgil L. DuBois.

The Court further finds that there was filed a second instrument of record in the Office of the County Clerk within and for Tulsa County, Oklahoma, on the the 27th day of May, 1922, purporting to be a Warranty deed, dated April 18th, 1922, executed by Tim J. Case and Anna Case, husband and wife to Frank Jones, of Tulsa, Okla. The court further finds that said instrument was filed of record twenty-five days, after the deed executed by Tim J. Case and Anna Case, dated May 1st, 1922 was filed of record, which deed being filed of record of May 2nd, 1922.

That said instrument or deed from Tim J. Case and Anna Case husband and wife, to Frank Jones, of Tulsa, Oklahoma, is of no force nor effect and is void, and ought to be cancelled of record.

The court further finds that the said Frank Jones executed a purported mortgage to Thomas Wlaker of Tulsa, covering the hereinbefore described property, That Frank Jones did not have any interest in and to the property and that he conveyed no interest therein by said mortgage to Thomas Walker, That said mortgage is of no force and effect and creates no interest in and to the property and of right ought to be cancelled of record.

The court further finds that said mortgage above mentioned was purported to be assigned and filed of record by said Thomas Walker to Mrs. B. M. Gordon, and that said Mrs. B. M. Gordon, executed and assignment of said mortgage to H. A. Williams, which assignment was duly filed of record in the office of the County Clerk, within and for Tulsa County, Oklahoma. That said assignment conveyed no interest in and to the property hereinbefore described, and are of no force and effect and ought to be canceled of record.

IT IS THEREFORE, ordered, adjudged and decreed by the court that the title and possession of said plaintiff in the following described premises, to-wit:

Lot One (1) in Block Sixteen (16) of McLane Addition to the city of Tulsa, Tulsa County, Oklahoma.

be, and the same is hereby forever settled and quieted in the plaintiff, Virgil L. DuBois, as against all claims or demands by the said defendants, and those claiming or to claim under them, or any of them: That the deed from Tim J. Case and Anna Case, husband and wife to Frank Jones, dated on the 18th day of April, 1922, and filed of record and duly recorded in the office of the County Clerk within and for Tulsa County, Oklahoma on the 27th day of May, 1922, and the Mortgage executed by Frank Jones a single on the 26th day of May, 1922