

248335 C.J. COMPARED IN THE SUPERIOR COURT FOR TULSA COUNTY, OKLAHOMA.

Anna Freeman, administratrix of
estate of Mahalia J. Mitchell, deceased,
vs. Plaintiff,

No. 3561 .

Joe Kostachek and
CHARLES MITCHELL,
Defendants.

DECREE.

Now, on this 5th. day of October , 1920, the above entitled cause came on for hearing in its regular order, same having been duly and regularly set for trial on this date, and the plaintiff failing to appear either in person or by attorney, and the defendant Charles Mitchell also failing to appear either in person or by attorney, and the defendant Joe Kostachek, now appearing in person and by O. S. Booth, his attorney, and announcing ready for trial, and thereupon the said plaintiff is called three times in open court, and comes not, thereupon it is ordered that the petition of plaintiff be dismissed for want of prosecution;

And thereupon said cause comes on for hearing upon the answer and cross petition of the defendant, Joe Kostachek, and said plaintiff and said defendant, Charles Mitchell, come not, but wholly make default, and said answer and cross petition is thereupon ordered taken as confessed as against them; and said defendant, Joe Kostachek, thereupon introduce his evidence and rests, and after due consideration thereof, the court finds all the issues for said defendant, Joe Kostachek, and against the plaintiff and said co-defendant, Charles Mitchell.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED By the court, that said defendant, Joe Kostachek, is the owner in fee of the property involved in this action, and described as follows, to-wit:

Lots Four (4), Five (5) and Six (6), of the re-subdivision of Block eighty-one (81), of the original townsite of the City of Tulsa, Tulsa County, Oklahoma;

That his title thereto is valid and perfect, and that neither the plaintiff nor said defendant, Charles Mitchell, have any right, title, interest or claim thereto; that said plaintiff and said co-defendant, Charles Mitchell, and all persons claiming by, through or under them, since the institution of this suit, are hereby barred and estopped from asserting any claim of title to or interest in the said described premises adverse to the title and possession of the defendant, Joe Kostachek, and the title and possession of the defendant, Joe Kostachek, is hereby quieted against all such claims.

It is further ordered that said defendant recover his costs therein expended , taxed at \$14.55 and have thereof execution.

Done in open court this 5th. day of October, 1920.

L. J. Martin

Judge Superior Court.

I, Jno. D. Porter , Court Clerk for Tulsa County , Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Supreme Court of Tulsa County, Oklahoma , this 6 day of Oct, 1920.

By John E. Wells, Deputy (SEAL) John D. Porter, Court Clerk

Filed for record in Tulsa County, Tulsa Oklahoma, Jan. 5, 1924 at 1:30 o'clock P. M. in Book 482, page 363

By Brady Brown, Deputy (SEAL) O. G. Weaver, County Clerk