

Affiant further states that E. M. Yates, the grantee in the deed last above mentioned, nor any one claiming under him has ever been in possession of said land or any part thereof, but that the same and every part thereof is now and has at all times since the death of Ben Franklin, been in the exclusive possession of affiant and her said husband, H. C. Duncan.

Further affiant saith not.

Witness to Mark

O. S. Booth, Tulsa Okla.

W. L. Miller, Tulsa, Okla.

her  
Jane X Duncan  
mark

COMPARED

Subscribed and sworn to before me on this 5th day of October, 1908.

My commission expires February 23, 1912 (SEAL) Orville S. Booth, Notary Public

STATE OF OKLAHOMA )  
TULSA COUNTY ) SS.

# A F F I D A V I T.

Lizzie Abrams being duly sworn upon her oath deposes and says: that she is about 70 years of age; that she resides about seven miles from Broken Arrow in Wagoner County and State of Oklahoma; that she is a member of the Creek Tribe of Indians known as a Freedman, and has resided in the Creek Nation for about 70 years last past; that she was well acquainted with one Ben Franklin a Creek Freedman, and had known him for about 30 years well and intimately and was well acquainted with the members of his family; that said Ben Franklin died on or about the ----- day of February, 1905, about eight miles southeast of Tulsa, Oklahoma, on his allotment of land which was situated in Tulsa County, State of Oklahoma; that at the date of the death of said Ben Franklin he was living with his wife, Jane Franklin, on his allotment as aforesaid; that said Ben Franklin married said Jane Franklin about 15 years ago and they lived together as husband and wife until the date of his death as aforesaid; that said Ben Franklin left no child surviving him or children, nor descendants of a deceased child or children, but he left as his sole and only heirs at law his two sisters, Lizzie Millet and Eliza Franklin Pettit; that no children were ever born unto said Ben Franklin and Jane Franklin; that said Jane Franklin since the death of her said husband, Ben Franklin, has married one H. C. Duncan with whom she is now living and residing upon the allotment of her deceased husband, Ben Franklin; that Willie Franklin was an illegitimate child of the said Ben Franklin by Maggie Davis; that Lucy Morgan was a daughter by a former marriage of Jane Franklin and was not the child of Ben Franklin.

Affiant further states that said Jane Franklin with her said husband, Ben Franklin, occupied the lands allotted to said Ben Franklin, now a part of Tulsa County, Oklahoma, from the date of the allotment of the same up to the date of the death of said Ben Franklin, and since the date of the death of said Ben Franklin the said Jane Franklin, now Jane Duncan, has occupied the same, and has been in the sole and exclusive possession of the same up until this date.

Further affiant saith not.

her  
Lizzie X Abrams  
mark

Witness to mark. We certify that Lizzie Abrams signed by mark in our presence after same was read over and explained to her in our presence.

H. C. Duncan  
W. T. Brumbaugh

Subscribed and sworn to before me on this 6th day of May, 1909.

My commission expires May 22d 1911 (SEAL) Z. I. J. Holt, Notary Public

Filed for record in Tulsa County, Tulsa Oklahoma, Mar 4, 1924 at 10:00 o'clock A. M. in Book 486, page 463

By Brady Brown, Deputy

(SEAL)

O. G. Weaver, County Clerk