

267730 C.J.

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY,

STATE OF OKLAHOMA.

Frank Hughes, )

Plaintiff, )

-vs- )

No. 26258.

V. O. Rogers and Minnie  
Rogers, )

## JOURNAL ENTRY.

Now on this 6th day of September, 1924, the same being one of the regular days of the September, 1924, term of the District Court, Tulsa County, Oklahoma, the Court being in session and presided over by the Honorable Z.I.J. Holt, District Judge, this cause came on to be heard on the plaintiff's petition and on the motion of Plaintiff for judgment against the defendants, V. O. Rogers and Minnie Rogers.

The Court examined the petition and other records in the cause and finds that due and lawful service of summons was made on the defendants, V. O. Rogers and Minnie Rogers, by publication by proper and legal notice in the Tulsa Daily Legal News by publication in said paper in every issue thereof, the first publication being on the 20th day of March, 1924, and the last on the 10th day of April, 1924, giving notice to said defendants that they should answer plaintiff's petition on or before the 30th day of April, 1924; that the Tulsa Daily Legal News is a newspaper printed and published in Tulsa County, Oklahoma, and having a general circulation therein and having been printed, published and circulated for more than one year next before the first publication of the notice aforesaid; that said notice and proof of publication thereof are in due and legal form and according to law and are hereby approved.

The Court finds that neither of the defendants have made any appearance in said cause or have filed any plea, demurer or answer to plaintiff's petition but are in default.

It is ordered that each of the defendants be three times severally in open Court to appear and plead, demurrer or answer to plaintiff's petition and make defense to said petition, but defendants came not but made default.

The Court finds that the allegations of plaintiff's petition are true and that the plaintiff is the owner in fee simple and in the actual and notorious possession of the South Half (S/2) of Lot Five (5), Block Twenty-seven (27), of the original town of Bixby, Tulsa County, Oklahoma, according to the recorded plat thereof, and further finds that the defendants or either of them have any right, title, claim, interest, demand or equity in or to said premises or any portion thereof, but finds that the plaintiff's title should be quieted against the claims of the defendants and each of them, and that the cloud on plaintiff's title to said premises cast by the apparent claim of the defendants on the record should be removed.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED, that the plaintiff, Frank Hughes, is the owner in fee simple of the South Half (S/2) of Lot Five (5), Block Twenty-seven (27) of the original town of Bixby, Tulsa County, Oklahoma, according to the recorded plat thereof, and is entitled to possession thereof, and that the defendants or either of them have no right, title, claim, interest, demand or equity in and to said premises or any portion thereof, and that the Warranty Deed made and executed by said defendants on the 26th day of December, 1923, in favor of the plaintiff, Frank Hughes, conveying said premises to him though not acknowledged by the defendant, V. O. Rogers, was legally and fairly executed and delivered and conveyed to the plaintiff all the right, title and interest in said premises to the plaintiff, Frank Hughes.