

in person and by his attorneys, and files his petition in said Court praying the approval of a certain deed heretofore, on the 5th, day of April, 1905, made, executed and delivered by one Moses Naharkey and his wife Martha Naharkey, to the said Grant C. Stebbins, conveying to him the said Grant C. Stebbins, the title in and to the:

Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Twelve (12), Township Nineteen (19) North, of Range Twelve (12) East of the Indian Base and Meridian. And it being made to appear to the Court by the testimony of witnesses and other evidence: That Wehiley Naharkey, was in her life time a duly enrolled Full Blood Citizen of the Creek Nation or Tribe of Indians, and that her name appears upon the Roll of said Creek Nation made by the United States Commissioner to the Five Civilized Tribes and approved by the Honorable Secretary of the Interior of the United States, opposite Roll #4366.

That the said Wehiley Naharkey, on the 26th, day of September, 1909, in that portion of the Indian territory, included within the present boundaries of Tulsa County, State of Oklahoma, where she at that time resided, died intestate, and left surviving her, Moses Naharkey, a Full Blood Creek Indian, duly enrolled, her only surviving heir at law.

That the said Moses Naharkey, was in his life time a Full Blood Citizen of the Creek Nation or Tribe of Indians, and that his name appears upon the roll of said Creek Nation made by the United States Commissioner to the Five Civilized Tribes and approved by the Honorable Secretary of the Interior, opposite Roll # 4363.

That at the time of the death of the said Wehiley Naharkey, she had not selected her allotment of the lands of the Creek Nation, and no deed or patent for such allotment had been issued to her.

That on the 28th, day of October, 1901, Moses Naharkey appeared before the United States Commissioner to the Five Civilized Tribes as the only heir at law of Wehiley Naharkey deceased, and selected as the allotment of the said Wehiley Naharkey, of the lands of the Creek Nation, the following lands, to-wit:

The Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and the East One Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) and Lot One (1) of Section Twelve (12) and Lot Seven (7) of Section Eleven (11) all in Township Nineteen (19) North of Range Twelve (12) East of the Indian Base and Meridian, in the Creek Nation of the Indian territory; and that on said date, certificates of allotment of said land were issued to the heirs of Wehiley Naharkey.

That on February 13th, 1904, the United States Commissioner to the Five Civilized Tribes designated as the homestead tract out of the above described lands:

The Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Twelve (12) Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian in the Creek Nation of the Indian territory.

That on the 5th, day of July, 1904, P. Porter as Principal Chief of said Creek Nation executed a deed or patent for the homestead tract to the heirs of Wehiley Naharkey. That on the 6th, day of September, 1904, the said Deed for the homestead tract was approved by the Secretary of the Interior of the United States.

That on the 16th, day of September, 1904, said deed for the homestead tract was recorded in the records of the United States Commissioner to the Five Civilized Tribes, which said deed is in words and figures as follows, to-wit:

HOMESTEAD DEED TO HEIRS.

CREEK NATION ROLL #4366.

The Muskogee (Creek) Nation, Indian Territory.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, by the Act of Congress approved March 1st, 1901 (31 Stat. 361) agreement ratified by the Creek Nation May 25, 1901, it was provided that all lands of the Muskogee