

IN THE COUNTY COURT WITHIN AND FOR TULSA COUNTY, STATE OF OKLAHOMA.

SITTING IN PROBATE AT TULSA.

IN RE ESTATE OF MARY SPYBUCK, DECEASED, FULL-BLOOD ALLOTTEE OF THE CHEROKEE NATION.) No. 458.

ORDER OF COURT APPROVING CONVEYANCE OF FULL-BLOOD HEIR.

On this 8th, day of May 1909, comes on for hearing the petition of Howard Daugherty and George Daugherty and Samuel K. Todd, for the approval of a deed executed by the said Howard Daugherty and George Daugherty, bearing date of the 7th, day of May 1909, to said Samuel K. Todd, for the Interest of the said Howard Daugherty and George Daugherty in the allotment of Mary Spybuck, deceased, and the court having seen said petition and heard the testimony of the petitioners, and also of James Dick, Ernest Schrimsher, S. R. Lewis, James H. Thomas and A. H. Collins, witnesses, in open court in relation thereto, doth find as follows:

That one Mary Spybuck departed this life intestate without issue on the \_\_\_\_ day of \_\_\_\_ 1904, about ten miles North of Tulsa in the Cherokee Nation, Northern District, Indian Territory, in what is now part of Tulsa County, State of Oklahoma; that said Mary Spybuck was a citizen by blood of the Cherokee Nation or tribe of Indians, and was duly enrolled by the Commission to the Five Civilized Tribes as a full -blood Indian, and that her name appears upon the approved roll of Cherokee Indians opposite No. 30173.

That there was selected for and allotted to the said Mary Spybuck as and for her share of the lands of the Cherokee Nation, the following described lands, to-wit:

N $\frac{1}{2}$  of the SW.  $\frac{1}{4}$  of Section Eighteen (18) Township Twenty One (21) North, Range Thirteen (13) East in Tulsa County, Oklahoma.

That said Mary Spybuck at the date of her death left her surviving asrher sole and only heirs at law the following named persons, to-wit: Thomas Williams, nephew and george Daugherty and Howard Daugherty, grand nephews, petitioners herein; that all of said heirs are full-blood Indians.

That the restrictions upon the alienation of inherited lands of allottees of the Cherokee Nation were removed by act of Congress approved May 27, 1908, but that said Act provided among other things that no conveyance of any interest of any full-blood heir in such land shall be valid unless approved by the Court having jurisdiction of the settlement of the estate of the deceased allottee.

That the County Court of Tulsa County, State of Oklahoma, is the Court having jurisdiction of the settlement of the estate of the said Mary Spybuck; that at the date of the death of said deceased, she was a resident of that part of the Indian Territory now within the limits of said Tulsa County, and then in the Northern District of Indian Territory.

That said Howard Daugherty and George Daugherty have sold all their right, title and interest in and to said tract of land to Samuel K. Todd, one of the petitioners herein, for the price and sum of \$500.00; that they have duly executed to said Todd a deed of conveyance thereof under date of the 7th, day of May 1909; that they have received the full amount of said consideration and that said sum is the fair and reasonable value of the interest of said Howard Daugherty and george Daugherty in and to said described land.

IT IS THEREFORE CONSIDERED, Ordered and Adjudged by the Court that said deed of conveyance from said Howard Daugherty and George Daugherty to said Samuel K. Todd, bearing date of the 7th, day of May 1909, be and the same is hereby approved.

N. J. Gubser, County Judge.

CERTIFICATE OF TRUE COPY.

STATE OF OKLAHOMA, )  
                                  : SS.  
TULSA COUNTY.      )

I, G. W. Davis, Clerk of the County Court in and for the County and State aforesaid,